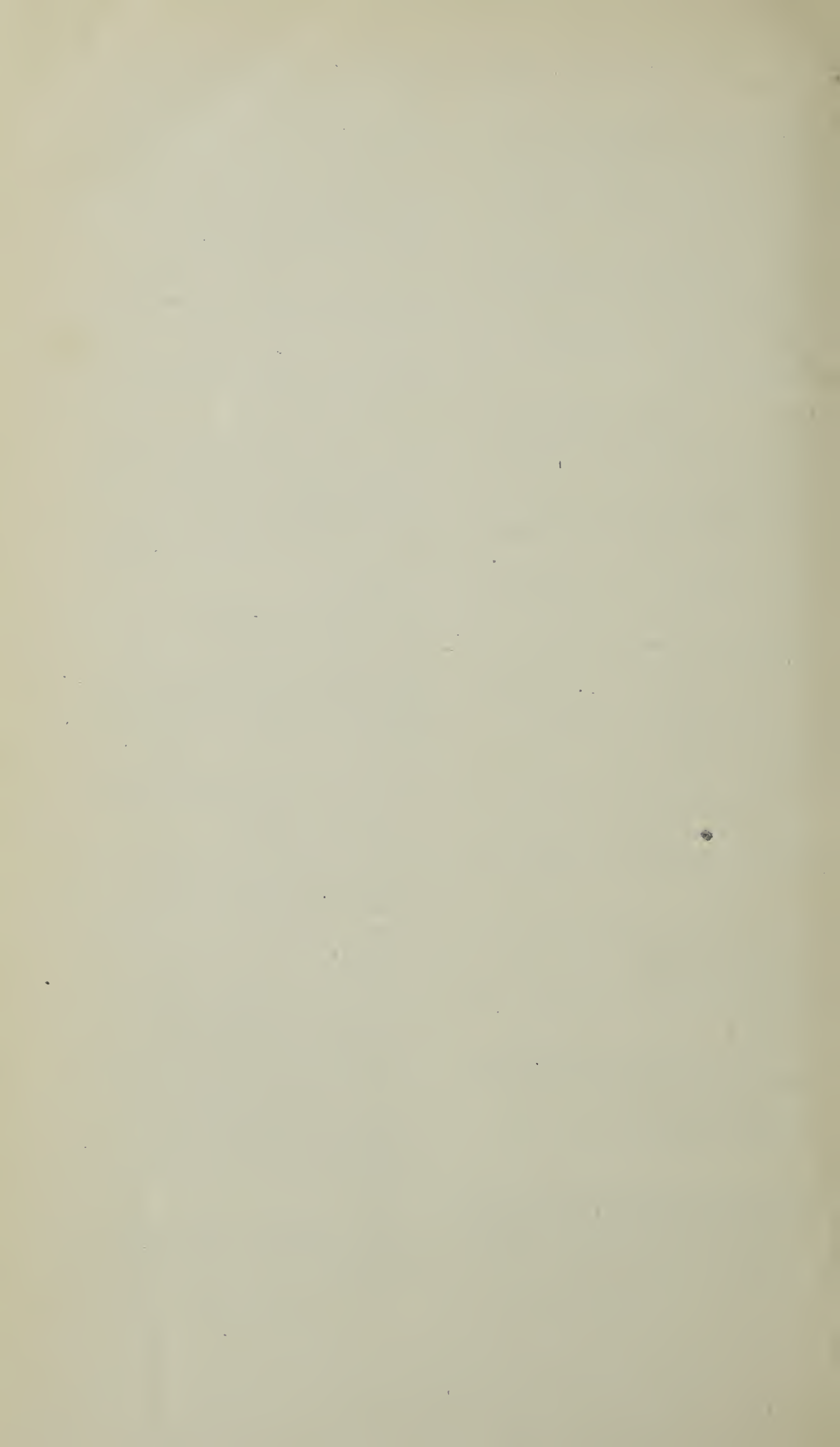


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REPORT

OF THE

THIRTEENTH ANNUAL MEETING

OF THE

LAKE MOHONK CONFERENCE

ON

INTERNATIONAL ARBITRATION

1907

REPORTED BY MISS LILIAN D. POWERS

PUBLISHED BY THE
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1907

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OF THE

THIRTEENTH ANNUAL LAKE MOHONK CONFERENCE ON INTERNATIONAL ARBITRATION

MAY 22-24, 1907.

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PREFACE.

The Thirteenth Annual Meeting of the Lake Mohonk Conference on International Arbitration was held in the parlor of the Lake Mohonk Mountain House, Mohonk Lake, N. Y., May 22d, 23d and 24th, 1907. More than three hundred members were in attendance as the invited guests of Mr. Albert K. Smiley. There were six sessions of the Conference. This Report contains the stenographic account of the proceedings, which consisted of papers, addresses and discussions of the present status of international arbitration, of the education of public opinion, of work in colleges and universities and among business men, of the creation of an international congress, etc.

One copy of this Report is sent to each member of the Conference. Applications for other copies should be addressed to the Corresponding Secretary of the Conference.

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PLATFORM

OF THE

THIRTEENTH ANNUAL LAKE MOHONK CONFERENCE ON INTERNATIONAL ARBITRATION, 1907.

The Thirteenth Lake Mohonk Conference on International Arbitration recognizes with profound gratitude the development of those forces which are making for international peace through international justice. The promotion of intercourse, friendship and amity among the nations, the organization of international bodies in commerce, science and philanthropy, the demand for higher standards of international morality are but preludes to greater harmony and unity among the peoples of the world.

We mention with satisfaction among the events of the last twelve months the holding of the Pan-American Congress; the visit of Secretary Root to the South American Republics; the organization in the United States of a branch society for international conciliation; the international conference for the revision of the Geneva Convention of 1864; the holding at Washington of the first annual meeting of the American Society of International Law, organized in 1905 at the Mohonk Conference, and the publication of its organ, the American Journal of International Law; the formation of the Japan Society for the cultivation of friendly relations between Japan and the United States; the increasing disposition of nations to assist each other in time of famine and disaster; and the holding in New York of a National Arbitration and Peace Congress of far-reaching influence.

The meeting of the Second Hague Conference next month marks another epoch in the history of international development. We note with gratification that twenty-one American Republics will participate therein. We urge as the most immediate and important action to be taken by this Second Hague Conference the following measures:

(1) A provision for stated meetings of the Hague Conference.

(2) Such changes in the Hague Court as may be necessary to establish a definite judicial tribunal always open for the adjudication of international questions.

(3) A general arbitration treaty for the settlement of international disputes.

(4) The establishment of the principle of the inviolability of innocent private property at sea in time of war.

(5) A declaration to the effect that there should be no armed intervention for the collection of private claims when the debtor nation is willing to submit such claims to arbitration.

We commend, in accordance with our resolution of last year, the consideration by the Hague Conference of a plan for the neutralization of ocean trade routes.

THE THIRTEENTH ANNUAL LAKE MOHONK CONFERENCE ON INTERNATIONAL ARBITRATION.

First Session.

Wednesday Morning, May 22, 1907.

The Thirteenth Annual Lake Mohonk Conference on International Arbitration met in the Parlor of the Lake Mohonk House on the 22d of May, 1907, at 10 o'clock in the morning. The meeting was called to order by Mr. Albert K. Smiley, the host of the Conference.

OPENING REMARKS OF MR. ALBERT K. SMILEY.

I can hardly express to you my intense gratification in welcoming here so many distinguished persons, representing the highest callings and grades of society and all deeply interested in what I believe to be the most important question that has engaged the attention of the world for centuries.

We endeavor to invite to these conferences a body of persons, all carefully selected, whose opinions will have weight and who command the confidence of the whole country, including jurists, diplomats, members of Congress, government officials, educators, clergymen, business men, army and navy officers and others, representing varied pursuits and interests—those who are active and judicious in doing the world's work. We do not confine invitations to persons of one mind. We seek, rather, *diversity* of opinion and welcome free discussion, however earnest and intense it may be, only insisting that it be conducted with courtesy and fairness. The only way to discover truth of real value is by hearing both sides of a question.

We are here at a most opportune time—just on the eve of the Second Hague Conference at which, for the first time in history, all the nations of the world will meet to discuss matters of general interest.

The most important subject to be discussed here is what questions shall be considered by the Hague Conference. In my judgment, the leading point to be secured is that the Hague Conference shall meet regularly at fixed intervals—say once in five years—and not be subject to the call of any one nation as heretofore.

Another matter to claim attention is the strengthening of the Hague Court in two ways: First, by making its judges permanent residents at The Hague with very high salaries; second, by adopting a general arbitration treaty so moderate as to secure the approval and signature of leading nations, trusting to future conferences to adopt a more stringent treaty covering nearly all cases of controversy.

While this is our most urgent work, other important subjects will come before us. We have delegates from about fifty business organizations, principally chambers of commerce and boards of trade, representing the leading cities of the country, who will have a session for discussion. I regard their participation as most important, not only as a proof that our aims are practical, but because of the powerful influence these business organizations wield in their communities. The business men control commerce. Commerce, doubling every few years, brings all the world in touch and sympathy.

We are also to have a discussion of plans whereby the interest and co-operation of college students can be best enlisted. These students—leaders of the coming generation—can exert a tremendous influence.

I have looked with much gratification on the rapid growth of sympathy between our country and our Southern neighbors. The Pan-American movement I regard as one of great importance to our cause. And I am especially glad that we have here this morning the highest official representatives at Washington of two Central and South American republics, as well as several of our own distinguished citizens who have served this country in the capitals of some of those states.

Our movement is undoubtedly a just and sane one which, at no distant day, will meet with entire success, but we need not be discouraged even if men of superior judgment and high ideals denounce our cause as an impractical chimera. We must bear in mind that every movement for the advancement of civilization has met with stern opposition and that truth has only triumphed after long struggle.

I remember well when the anti-slavery movement began, that the whole South was a unit in defense of the institution, and very few men in the North dared, at the risk of their lives, to utter a word against it. What a contrast to-day! Not a slave in the civilized world, and hardly a defender.

The temperance movement in my lifetime has made wonderful progress. In my boyhood in Maine it was the prevailing custom among farmers to furnish rum freely to workmen, and consequently drunkenness was prevalent and countenanced. My father was severely censured for not yielding to the cus-

tom. And yet within a generation Maine led in the movement to abolish the saloon!

Duelling—within my memory considered the proper method for settling questions of personal honor—is now wholly abolished in America and in many parts of Europe.

Formerly lotteries were not only allowed, but were so entirely sanctioned that they were used even in building churches—now they are wholly banished from the country.

The prison reforms, care of the insane, institutions for the blind and crippled, the care of immigrants and others of the helpless poor; the many hundreds of institutions in New York City alone for the amelioration of suffering and vice and the betterment of mankind; the magnificent efforts to remove every form of disaster and disease; the extension of popular education and the vast sums of money devoted to higher education and scientific research; an annual appropriation of three millions of dollars for Indian education; religious toleration and the union of churches replacing bigotry—all these moral issues, denounced as visionary, have been fought out after hard struggle and within my lifetime of less than eighty years.

When I was a boy railroad building had just begun. My father in going from our home on the Kennebec in Maine to Newport, R. I., to attend the Friends' yearly meeting (with a spirited team) took two weeks to make the journey. This is nearly double the time I now take to go from my home here to my winter home in California.

Then there were no ocean steamships. The most eminent scientist in England put on record his conviction that no steamship could ever carry enough coal to complete the voyage across the Atlantic.

The project of the Atlantic cable met the derision of the world.

Steam, electricity and the press have put the whole world in touch, and New York is practically as near to Hong Kong to-day as it was to Philadelphia in my boyhood.

Having seen all these marvelous changes in society wrought out in the face of extreme opposition and accepted by all men during my lifetime of less than eighty years, can you blame me for being an optimist?

I do not think the time will ever come when military and naval forces can be entirely dispensed with. Force will always be necessary to cope with mob violence and for police purposes.

An army of men is now being organized to suppress war. The marching step is taken by the President of the United States and by the King of England. Following close up in

rank are a large proportion of the men composing the Congresses and Parliaments of the world. The business men whose commerce is disturbed, the laboring men, the men who lose most in life and property by the ravages of war, women whose homes are broken up and whose husbands and sons are sacrificed—all these are to be found in the front ranks of the arbitration movement, and the rear guard of this army will be the regular army and navy who will, I am sure from my long observation, be only too glad to close up the ranks and be relieved of the awful necessity of war.

We look to you, members of this Conference, to take charge of cohorts of men in winning speedy and decisive victory for our cause. With such a vast body of the best men in the world starting this movement, nothing on earth can stop it.

Each day brings new evidences of growing interest. The high plane of modern diplomacy, the growth of the Interparliamentary Union, the great Arbitration and Peace Congress just held in New York City, the springing up of the American Society of International Law and scores of events here and abroad prove that our movement is making tremendous progress because the world is coming to see that it is practical.

It is evidenced on all sides that nations are interested in each other as never before—ready to give quick relief in famine or distress, to promptly denounce injustice or oppression. In short, we are becoming a brotherhood of nations. This means union, centralization. No pessimistic antagonism can ever prevail—justice and fraternity are sure to triumph—as was so truly voiced by my dear old friend Whittier in these prophetic words:

“No truth from Heaven descends upon our sphere,
Without the greeting of the sceptic's sneer.
Denied and mocked at till its blessings fall
Common as dew and sunshine over all.
Still lives for Earth, which fiends so long have trod,
The great hope, resting on the Truth of God.”

The movement for world peace is rapidly finding and pressing into service the real leaders of the people. We have as our presiding officer such a man—one who as a distinguished educator needs no introduction to any audience, and who has recently been chosen by a carefully selected body of eminent Americans as President of the American Branch of the Association for International Conciliation. It gives me much pleasure to present as presiding officer of the Conference, DR. NICHOLAS MURRAY BUTLER, President of Columbia University. (Applause.)

OPENING ADDRESS OF DR. NICHOLAS MURRAY
BUTLER, CHAIRMAN.

This Conference reassembles at an auspicious moment. Our country is still ringing with the echoes of the lofty sentiments and noble ideals which found expression before thousands of attentive auditors at the National Arbitration and Peace Congress held in New York a month ago. High officers of government and leaders of public opinion at home and abroad there united in giving voice to sentiments which mean, if they mean anything, that a new era is dawning in the moral history of mankind. Moreover, before another month has passed, more than two score nations will assemble at The Hague to constitute a second International Conference called in the interest of international peace. Whether we look backward or forward, therefore, we see only signs of good omen.

The nations of the earth are faced by problems of amazing complexity and difficulty. The spread of democracy, while it has greatly complicated these problems and enlarged their scope, has also hastened the day of their satisfactory and beneficent solution.

Unless all signs fail, we are entering upon a period which may be described fittingly as one of internationalism. For long centuries the peoples of the earth have been obeying the deep impulse to build themselves into nations. Groups of men marked out by origin, by common characteristics, and by language, for living together under one form of government and within one political boundary, have grown into nations. These nations have, each in its own way, established constitutional government, or seem about to do so. With constitutional government has gone hand in hand the conception of the reign of law and the dominance of justice. The reign of law and the dominance of justice mean that might shall not be permitted to seize the place of right, and that no individual shall be allowed to enact his own claims and ambitions into law or decree. These must be submitted in formal and stated fashion to a tribunal constituted for the purpose. No nation in which this conception of law and justice did not prevail could be counted for a moment among civilized peoples.

This intra-national development is a happy augury for the international era which is opening. It is not too much to believe, that while certain differences between individual relations and disputes and international relations and disputes must be admitted, yet the analogy between them is sufficiently close to make us full of hope that what has been accomplished intra-nationally may not be long delayed in coming internationally.

Like an individual, a nation has a mind and a conscience, and it has them in a very real sense. As politicians and statesmen have long since found out, the terms Puritan conscience in America, nonconformist conscience in England, French spirit, and German idealism on the Continent, are not names for empty abstractions, but they stand in each case for what is terribly real. One of the chief problems of our time is to bring the nations' minds and the nations' consciences to bear on the moral problems involved in international relations. This is a step in the moral education of the world. It carries with it no necessary criticism upon what has gone before and no aspersion upon what now exists, any more than the full fruit reflects discredit upon the seed from which it sprang. The more perfect and complete morality of the future is itself to be the product of the incomplete and imperfect, but always improving, morality of the past and of the present.

It is a mistake in history and an error in ethics to apply the standards and ideals of one period to the deeds and accomplishments of an earlier one. When we are asked to point out how we would have settled the War of the Roses, the Thirty-Years' War, the war between Parliament and the Stuart King, the French Revolution, the Napoleonic struggles, or the American Civil War, by arbitration or by judicial methods, the answer is that the question is quite irrelevant. Whether mankind could have settled the problems involved in all of those contests, or in any one of them, without the use of force and the shedding of blood, I very much doubt; but then man was an earlier and a cruder being than he is to-day. Moreover, the nations and their forms of government were then only in the making, and there is no possible parallel with present conditions. The crucial question is not, will our standards and ideals apply backward, but will they not apply forward? Can we do better than to use the fine phrase of our own Lowell, and resolve not to "attempt the Future's portal, with the Past's blood-rusted key?"

The student of history and of nature, and still more the student of philosophy, realizes the implications of the process of evolution. Our political systems, our ethical standards, and our moral aspirations, are a development and are in development to-day. We need not pass unfavorable judgment upon those who have gone before in insisting that we shall endeavor to refrain from adopting methods which they often employed. We simply say that we have discovered and are prepared to apply newer and better and more efficient methods than theirs were. We do not say that they should have applied our methods, for we dare not assert that the time had then come when such application was possible; but we do say,

with the strongest emphasis, that we shall sacrifice no jot or tittle of our present moral insights or of our present intellectual convictions in facing the international problems of to-morrow.

Joubert, of whom both Sainte-Beuve and Matthew Arnold have written so charmingly, finely said: "Force and Right are the governors of this world; Force till Right is ready." Right is ready in this twentieth century to claim her kingdom, and she asks Force to step down from the throne she has so long occupied that she may serve from this time on, not as Right's substitute, but as Right's ally.

There are good and earnest men who now and then express the fear that righteousness and peace may somehow or other come into conflict. This judgment appears to me to be based upon a study of the conditions that have prevailed in the past, rather than upon an appreciation of the forces that are indicated to rule the future. Not every judgment of a judicial tribunal, however learned and disinterested its members, brings complete satisfaction to both litigants, or even to the public at large; yet the overwhelming majority of judicial decisions are equitable and do give satisfaction to the public. Cannot the same be said of the judicial settlement of differences between litigants when those litigants are nations instead of individuals? Or, if it cannot be said, then what assurance have we, if force be resorted to, that the cause of righteousness will prevail in the struggle? Will not "God be on the side of the heaviest battalions," as Voltaire cynically suggested? If so, then the cause of righteousness will not be advanced by going to war, unless it can be supposed to be advanced by the mere struggle on its behalf. But if this be true, why should the struggle on behalf of righteousness take the brute form of physical exertion, rather than the truly human form of moral endeavor? The truth is that fighting is an animal appetite, and, excuse it as we may, moral beings must treat it as they treat other animal appetites and subject it to rational control.

It is difficult, therefore, to see what real ground there is for supposing that righteousness and peace can come into conflict when those who seek righteousness are moral persons. If they are not moral persons, collective or individual, then what concept can they possibly have of righteousness? So long as human nature remains human, the several nations will each require their systems of police, and the world at large will require an international police; but this international police, while constituted of armies and navies, will, when it comes, be constituted in a way and from a point of view quite different from armies and navies maintained for offensive war.

The splendid accomplishment of this Conference during all

the years of its existence has been the arousing and directing of public opinion. The National Arbitration and Peace Congress in New York gave strong impetus to this work. I feel it is not too much to say that that Congress, in a single week, carried us forward quite half a century toward the time when higher conceptions of international justice shall prevail. A public opinion which, in the person of 10,000 or more of its most responsible representatives, could participate with joy and satisfaction in the discussions in New York, will not fail to make itself heard in the council chambers of governments, nor will the aroused public opinion of the United States be without large influence in Europe. While we Americans have not always been careful to conserve the sources of our best influence upon our European contemporaries, nevertheless it remains true that American public opinion, because of its detachment from older animosities, struggles, and ambitions, and because of its essentially democratic basis, is hearkened to by monarchs, by parliaments, and by unofficial citizens who speak other tongues than ours.

American public opinion will gain in influence abroad if its positive recommendations in regard to the attainment of international justice are both sagacious and reasonable. We must avoid encumbering our programme with non-essentials and we must not fail to observe a due sense of proportion in what we recommend.

Speaking for myself, I should wholly avoid at the present time the question of disarmament. Nations and governments have a varying sense of responsibility for order within and for safety without their boundaries. Disarmament will never come by pressure from without a nation, but only by pressure from within. If justice is established between nations, peace will follow as a matter of course. The reign of peace will cause armaments to atrophy from disuse. Disarmament will follow peace as an effect, not precede it as a cause.

Yet, while passing disarmament by, we may profitably urge the wisdom of formal international consideration of the possibility of restricting the further growth of the great armies and navies of the world, without impairing the efficiency of those that exist. The present British Government have taken a most praiseworthy stand on this subject.

From the forthcoming Hague Conference we should ask, I think, chiefly two things, and if both of them should be given us, a long step forward would be taken.

1. We should ask that the Permanent Hague Court be transformed from a semi-diplomatic into a truly judicial tribunal. We should ask that judges be substituted for arbitrators. We wish to see a permanent international court which,

like our United States Supreme Court, will have a status, a procedure, traditions, and precedents of its own. We wish to see international law declared as well as individual differences composed.

The present Hague Court is in reality only an eligible list from which two litigants may choose those to whom they will submit their cause. In its stead I should like to see a permanent body of judges, chosen for long terms or for life, paid suitable salaries, and as independent of the nations from which they are chosen as members of the United States Supreme Court are of the President who appoints or the Senate which confirms them.

Some concern is expressed as to how the findings of this court would be enforced. Are we not justified in believing that the moral sense of the civilized world would enforce them in ninety-nine cases out of a hundred? For the extreme hundredth case of disobedience an international police would be needed. That, however, many of us regard as a remote possibility.

2. We should ask that the Hague Conference, now assembling for the second time at the call of a monarch, be made to assemble automatically hereafter at regular intervals, say once in four or five years. So important an assembling of the nations should be independent of the will of any ruler, executive or parliament. The Third Pan-American Conference made provision for the periodic assembling hereafter of representatives appointed by all the American governments. The second Hague Conference should take similar action in its sphere.

These, then, I hold to be the most important and most practical steps to be urged upon the second Hague Conference: (1) to substitute a truly judicial for a semi-diplomatic international tribunal; and (2) to provide for the re-assembling of the Conference itself at stated intervals.

If it be argued that such a permanent judicial tribunal, if established, would find no business to transact, let it be remembered, at least by Americans, that the members of the United States Supreme Court were first appointed on September 26, 1789; that the Court first organized on February 1, 1790, and that for a full year it adjourned because there was no business on its calendar. In a few years the United States Supreme Court had become one of the busiest official bodies in the world. Moreover, if such a court were given power to pass judicially upon international claims, its docket would soon be full.

In the stated re-assembling of the Hague Conference lies the germ of the international parliament which will one day come into being.

There is another aspect of international relations in time of war which has not attracted the attention it deserves. The suggestion that neutrality should extend to financial assistance has been brought forward by men who are in no sense impractical. It appears to have been an early conception of so practical a nation-builder as Cecil Rhodes. Quite independently, Mr. James Speyer, whose standing as an international financier is of the first rank, made the same suggestion two years ago. His exact language was as follows:

“It does not seem a wild flight of imagination to suggest that the signatory powers might agree to maintain in future, what for want of a better term might be called financial neutrality. In case two powers went to war without first submitting their grievances and differences to arbitration, as provided by the Hague Protocol, why should not the other powers bind themselves not to assist either of the belligerents financially, but to see to it that strict neutrality was preserved by their citizens? Rich nations with an extended commerce are vitally concerned in maintaining peace, and if no financial assistance could be obtained from the outside, few nations would, in the face of the most effective neutrality of the other powers, incur the peril of bankruptcy, and the inevitable wars of the future would at least be shortened.”

In one form or another this proposal has received the support of Mr. Bryan, who spoke of it at the recent Arbitration and Peace Congress in New York, and of Secretary Straus, who referred to it in his recent address before the meeting of the International Law Society at Washington. With the support of names such as these this proposal takes on distinct importance and offers itself as worthy of serious consideration with a view to determining how it could be carried into practical operation.

One other matter concerns Americans alone. Each time an important international conference is to be held, the appointing power searches the country over for the most competent and effective representatives of American interests and of American opinion. Why should we not constitute a body of permanent representatives at such international conferences out of the distinguished men who, as President of the United States or as Secretary of State, have directed for a time the foreign policy of the nation? Those who have been incumbents of these high offices are men who have enjoyed public confidence and esteem in the highest degree, and their service has placed them beyond the reach of party animosity or party feeling. These experienced statesmen, officially constituted as international conferees on behalf of the United States, and in receipt of an appropriate salary fixed by law, would bring to their

task both unusual equipment and unusual experience. Such use of those who had rendered distinguished service to the nation as Chief Executive or as Secretary of State would be in every respect fitting.

Every portent is favorable for the policies in which we believe and which we urge. The civilized world is at peace and there is no ruler and no party bent on disturbing that peace. The more powerful nations are presided over by monarchs or governments whose faces are turned toward the light. Our own President and his Cabinet, the Government of the day in Great Britain, the President of the French Republic and his official advisers, the German Emperor, and the Emperor of Austria-Hungary, are alike devoted to the economic and moral uplifting of their people and to the avoidance of war and strife. The German Emperor, against whom criticisms are sometimes leveled, is, as I dare assert with confidence, a convinced believer in the policies of peace and their untold advantage to the great people at whose head he stands. Indeed, no responsible ruler is likely, so far as the signs of the moment go, to be responsible for breaking the world's peace. If that peace is to be broken, it will be broken, I think, by the irresponsible, the reckless, and the untamed. At this stage of the world's history, we must all of us unite to hold these elements of the population in check. The world has come of age, and, as Archbishop Temple wrote nearly half a century ago, "We are now men, governed by principles, if governed at all, and cannot rely any longer on the impulses of youth or the discipline of childhood."

At the conclusion of his address the Chairman called upon MR. CLINTON ROGERS WOODRUFF, Secretary of the Business Committee selected by Mr. Smiley, who announced the further officers and committees which had been chosen by that Committee.

(For the list of officers and committees, see page 2.)

MR. ALEXANDER C. WOOD, Treasurer of the Conference, presented his report, properly audited, which was accepted. Mr. Wood called attention to the fact that the funds contributed by members of the Conference were used for printing and postage only, and that all other expenses were borne by Mr. Smiley.

THE CHAIRMAN: In accordance with an agreeable and instructive custom, the Conference is now invited to listen to a review of progress made in the field of its particular interest since it last met. The review will be presented, as heretofore, by DR. BENJAMIN F. TRUEBLOOD, Secretary of the American Peace Society.

THE PRESENT STATUS OF THE INTERNATIONAL ARBITRATION MOVEMENT.

ADDRESS OF BENJAMIN F. TRUEBLOOD, LL. D.

It is only twelve years since the first Arbitration Conference met here at Mohonk. And what marvelous years they have been! This Conference has developed from a body of three score members who were doubtful and timid, to a body of fifteen score persons who gather in a spirit of exultation over the past and confidence for the future. During these years the Interparliamentary Union has grown from a tentative association of a few hundred members of parliament to a powerful organization of over two thousand statesmen, which commands the respect and close attention of the world. Numerous other peace organizations, some of them older, some of them younger, have developed in the same extraordinary way. Governments themselves and Kings and Presidents have changed their attitude almost entirely toward the movement for international peace. The settlements of international controversies by arbitration have increased in this brief period nearly a hundred fold, until the principle of arbitration is now a well-recognized part of international law and practice. The Hague Conference has been held, the permanent International Court established and successfully inaugurated. Treaties of arbitration, for which we were contending in the first years of this Conference, have been concluded to the number of forty-four, binding all the nations of Western Europe and some of those of South America into a pact of peace not likely soon to be broken.

A second Intergovernmental Peace Conference has been called on the initiative of our government, and is to assemble at The Hague next month, with representatives from all the organized governments of the globe. During this same period two Pan-American Conferences have been held, which have resulted not only in greatly promoting the arbitration movement, but in the organization of a permanent International Union of the American republics.

Such progress in the short space of twelve years in any line of humane advancement is unparalleled in the history of the world.

But the movement in whose behalf we have gathered again in this thirteenth Mohonk Conference, because of its extraordinary growth, has reached a stage of very peculiar interest. It can hardly be called a critical stage, though it contains features which may well fix the closest attention and even awaken the solicitude of all those who labor and watch for the permanent peace of the world.

The movement, in some features of it, seems to have reached a practical standstill. Only one additional treaty of obligatory arbitration, the Danish-Portuguese, has been concluded since we gathered here last May. Progress in this direction seems to have nearly spent itself, though there are still a number of the powers which have not yet entered into arbitration conventions with each other. Nor has any advancement been made at Washington toward the removal of the disagreement between the President and the Senate, which led to the failure of the arbitration treaties signed by the late Secretary Hay. Again, the Hague Court has not had any controversies referred to it within the year. Even outside of the Hague Court there has been almost nothing in the way of arbitration. A number of cases of boundary delimitation and of the adjustment of claims by mixed commissions—mostly of some years standing—have been, it is true, completed during the year. These have been mostly between South American States or the European countries which have colonial possessions in Africa or elsewhere, but the diplomatic slate is being rapidly cleared of even these cases, only a few still remaining uncompleted and still fewer new cases coming up for settlement.

It would seem then, at first sight, that arbitration, which has been so prevalent in recent years, is going suddenly out of fashion and is to fall again into disuse. I have even heard this suggestion made by otherwise intelligent men, who do not seem to have looked deeply into the situation. But such a suggestion is as far as possible from being a true interpretation of the situation. The Hague Court, it is true, has had no new business, but the reason is that there have been no disputes of importance between the powers which are parties to it. These nations are now living in a practically new attitude toward one another, partly because of the very existence of the Hague tribunal and the mutual work which they did in setting it up, and partly because of the marvelous increase of intercourse among the nations and their consequent better acquaintance and rapidly increasing sense of oneness and interdependence. To arbitrate disputes is an excellent thing, but it is a still "more excellent way" so to live as not to have quarrels to arbitrate.

England and France, which once fought perpetually, but have not engaged in war with each other for more than ninety years, are faithfully carrying out their agreement of three years ago to adjust by arbitration or otherwise all the outstanding differences between them. Diplomacy, as is illustrated in this case, has, largely because of the commanding position reached by arbitration in the setting up of the Hague

Court, become an almost constant agency for allaying differences before they reach the stage where arbitration becomes necessary. This is a very great step forward toward the attainment of settled international peace.

All this is conclusive proof that our movement has not in any sense grown weaker, but is strong with that strength which comes from signal victories already won and the prospect of greater ones in the immediate future. From another point of view also the cause of arbitration reveals its growing power. All of the organizations, in whatever field, which are laboring for its success, have increased and reënforced their efforts during the past year. They are all refusing to be satisfied with the results of the first Hague Conference, important as these were, and with the limited treaties of arbitration which have already been concluded. They are insisting, with one voice, that the scope of the Hague Court shall be extended so as to include all the nations, and its powers increased so far as may be necessary to make it a real international court of justice. They are likewise demanding that the arbitration treaties already in force shall be supplemented, or rather supplanted, by a general treaty of arbitration to be concluded by all the nations acting together; and many of them go so far as to insist that there are no disputes to-day between governments which may not be honorably settled by a world tribunal of their own creation. This general demand of the enlightened public opinion of the world is the supreme guarantee that the course of the arbitration movement is to be in no sense backward, but upward and onward to complete victory. This proposal of a general arbitration treaty as nearly unlimited as possible, or at any rate specifying a large number of classes of cases as suitable for arbitration, seems almost certain to meet with the approval of the Conference to meet next month at The Hague.

What I have said of arbitration specifically is as true of nearly the whole group of measures, of which arbitration is only one, which have been put forward by this Conference, by the Interparliamentary Union, the Peace Congress, the Peace Societies, the National Peace Congresses, and numberless chambers of commerce, business organizations, and societies and clubs of every description. It is now generally acknowledged that the Hague Court is only a part of a world system, all of whose departments must be promoted together, if any one of them is to have complete success.

The arbitration movement will be greatly strengthened if all unoffending private property shall be made exempt from capture at sea in time of war. There is little doubt that the forthcoming conference at The Hague will approve of this

measure, which has always been favored by our government. With the commerce of the world permanently neutralized, occasions for war or even for serious contention will be reduced to a minimum. Our movement will also be powerfully reënforced if the Hague Conference itself shall hereafter be made a permanent periodic body, as it is proposed that the coming Conference shall recommend to the governments. An agreement among the nations which are to be represented at The Hague, hereafter, before hostilities are engaged in, to have investigated by friendly powers or by an international commission of inquiry any dispute which it may not be possible to embrace within the terms of an arbitration convention, will almost put the crowning sheaf upon the whole movement. There is reason to hope that the Conference at The Hague can be induced to take this great step, though it is almost certain that a few of the powers will seriously hesitate to renounce the right of fighting without allowing any third parties to give advice in regard to the issues at stake.

It does not seem to me to be pushing the contention too far to say that the arbitration movement is closely wrapped up with the subject of armaments. It appears very doubtful if an entirely satisfactory system of arbitration, such as we are contending for, can ever be completed unless the nations are willing to enter into an agreement for at least the arrest of the present rivalry of armaments. As long as the nations insist on holding that force, instead of a great tribunal of justice, shall be the final resort in serious cases of controversy, and continue, on this theory, to increase their armies and navies, it will be impossible to get them to agree in advance to arbitrate all their controversies before any judicial tribunal whatever.

This Conference cannot do better, therefore, than to reaffirm, if possible with increased emphasis, the conclusions which it reached last year with regard to the subjects that ought to be considered and favorably acted upon at the coming Hague meeting, including that of limitation of armaments, the most urgent of all the international questions now pressing for solution.

We ought of course to continue our efforts to secure the widest possible study of the subject of pacific settlement of international disputes in the universities, colleges and schools of the country, and in all other influential circles, but the coming Hague Conference, whose early meeting is now assured, makes it urgent that this gathering should again utter its voice in no uncertain terms with regard to the steps which the world is certainly prepared to have taken in the interests of the common welfare of humanity. (Applause.)

THE CHAIRMAN: MR. JOHN BASSETT MOORE, Professor of International Law at Columbia University, is recognized.

REMARKS OF PROFESSOR JOHN BASSETT MOORE.

Mr. President, Mr. Smiley, Ladies and Gentlemen: In the addresses to which I have listened this morning, several references have been made to the subject of a permanent tribunal. I may observe, first, as to the question whether such a tribunal would have sufficient business that, in a speech which I made in New York not long ago, I pointed out the fact that a single mixed commission to which the United States was a party sat for ten years, and decided in that time over two thousand cases. Taking the whole term of our national existence, the business before that single commission would have furnished a permanent tribunal with nearly twenty cases a year. We have had many other litigated controversies; and I will venture to say that a permanent tribunal, if controversies should arise in the future as rapidly as they have arisen in the past, would have over one hundred cases a year with which to deal. That would be enough for the judges, and, what is more, and I say it in a sympathetic way, for the lawyers also. (Laughter.) Our Chairman, in his address, referred to the argument that is sometimes made against arbitration, that it would be difficult to secure the enforcement of the arbitral decrees. In all the arbitrations that we have had there has never been a single instance in which the arbitral decree has been set aside without the consent of both parties. Occasionally, after a decision has been rendered, some new fact has been ascertained which it was thought might, if it had been brought before the judges, have produced a different result; in such cases both parties have proceeded in a spirit of amity to re-examine the decision, and have reached a harmonious, concurrent result. Our own experience triumphantly demonstrates the success of arbitration. (Applause.)

THE CHAIRMAN: By great good fortune, the Conference numbers among its members this year a representative of German culture and of German literature, from whom, if he will be so kind as to respond to our invitation, we shall now be very glad to hear,— DR. THEODOR BARTH, of Berlin, former member of the German Parliament, publicist and journalist, for many years the well-known editor of *Die Nation*, a paper which many of us have read with pleasure. Dr. Barth will be listened to with great delight if he will speak for a few moments upon the interest which Germany has in international arbitration. (Applause.)

REMARKS OF DR. THEODOR BARTH.

Ladies and Gentlemen: I am not prepared just now to speak to you, especially in a language which I have not fully mastered. But I hope you will excuse me if I do it, notwithstanding that.

We are all together here for the work of better international understanding, and I think it is better to deliver an imperfect speech in a language which you all understand, than to deliver a perfect speech in a language which many of you may not understand. (Applause.)

I have always watched the development of this arbitration movement with greatest interest. I was one of the first German members of Parliament who attended the Interparliamentary Union. And when this Interparliamentary Union had a meeting in London, now seventeen years ago, then no one dreamed that this arbitration movement would make such rapid progress. I suppose this arbitration movement can be pushed forward much more rapidly if only the process of educating public opinion will be enforced. And just now this second Hague Conference, in my opinion, gives us an excellent opportunity to educate public opinion first, and then to make this Hague Conference a real success. I agree entirely with the words spoken by our President this morning in his opening speech, that peace will not follow disarmament, but disarmament will come after having made peaceful the nations; and, therefore, it is not of great advantage to try to bring this disarmament scheme before or try to solve it in the forthcoming Hague Conference. I should think it better to remove first the causes of armament. (Applause.)

If the second Hague Conference should remove only *one* of the present causes of armament, it would be of the greatest practical importance; it would give an enormous prestige to the Hague Conference itself and to the arbitration movement. I refer to the practical question of the inviolability of private property at sea. (Applause.) This, you know, is a very old question, in which the United States has been interested for more than fifty years. The United States was the power that tried to enforce the principle of the inviolability of private property at sea during time of war at the Paris Congress in 1856. I therefore think the government of this great country should find it an especial honor now to initiate the promotion of this question before the next Hague Conference, thus making out of the old traditions a new success. I believe I can say the government of the United States is in a better position to go on than any other power in the world, and if it

should take the lead concerning this important question, Germany, I am convinced, would follow immediately. (Applause.) Public opinion in Germany would force our government to follow, and I should think, further, that the present government of England, the present liberal government, with its peaceful inclinations, and with its disarmament scheme, would be obliged to fall in line; and then we would have an agreement between the United States, Germany and England and there is no doubt that it would be a great success, perhaps the greatest which could ever be attained by the Hague Conference. (Applause.) It would not only be a very important success in itself, but it would also be a very great success from the standpoint of educating the public opinion of the whole world; because, as you know, this arbitration movement suffers from the fact that it is looked upon too much as an idealistic one, and in every country there exist people who believe that it is not very flattering to themselves to be called "idealists." They want to be called practical men. And so I should think it is of great importance that it be shown by this Hague Conference that this arbitration movement is not only an idealistic one, but in the best sense of the word a practical one. If this great principle of the inviolability of private property at sea in time of war is established firmly in the law of nations, we would not only remove one of the chief causes of the constant increase of naval armaments, but also show to the commercial people and the industrial people that this movement can be very practical in its results. That may bring a large number of commercial and of industrial people into sympathy with us and aid very much to increase the influence of the arbitration movement. Therefore, we should do our best (and now is the time, by resolutions from the influential men) to bring this great question before the eyes of the public and to force the governments to consider this question. All the governments claim that they are very peaceful; they maintain their peacefulness with very large guns and big "Dreadnaughts." In a certain sense I suppose they are sincere, but it is a very expensive form of a peaceful movement, and I should think it would be better to take another way and disarm for peace by removing the causes of armament. I hope that this Conference will bring before the public opinion and before the eyes of the people of the whole world the fact that the American nation expects from all the governments of the civilized world that they now will solve in the forthcoming Hague Conference this great question of the inviolability of property at sea in time of war. (Applause.)

THE CHAIRMAN: The last speaker of this morning's session is one who has been a tower of strength to every good and noble cause that has been presented for consideration to Americans during his long and happy life. Of him and to him I shall only say, All hail!

REMARKS OF DR. EDWARD EVERETT HALE.

Mr. President, Mr. Smiley, Ladies and Gentlemen: I hope the motto of the three days is to be that we and the Hague Conference will do what we can, and will not talk about the things we cannot do. I would like at this moment to say that we need not go back to 1899 simply, but that in the treaty made by the United States with the King of Prussia, when we were all subjected to the heresies about the domination of the seas in 1785, the inviolability of private property at sea was asserted by both nations, by Prussia as well as by America, and was introduced as a principle into the diplomacy of the world.

This is to be said about disarmament,—that we have time with us. The admiral of the Atlantic fleet told me ten years ago that there was not a weapon in existence in the United States navy, except what the gentlemen themselves called the “toasting fork,” which is the little side sword which is worn once a year,—there was not a weapon in existence in 1895 which was used in 1865; that all the rest had gone into the junk heap, and most of it had been melted up by that time. When I saw that the Congress of the United States passed by a vote of ten or twelve, I think,—the vote we would go one better and have one “Dreadnaught” more, I had the satisfaction of thinking that at the end of fifteen years the new “Dreadnaught” would be in the junk heap and disarmament would have taken care of itself.

One of the most distinguished of the representatives at the Hague Conference this year told me this winter that he had no doubt whatever—he was resident in Europe at the time—he had no doubt whatever that the existence of the Hague Tribunal and its settlement had prevented war between England and Russia.

What they chose to call the “Dogger” incident, when a Russian frigate—they did not know why—fired into some poor English fishermen—they did not know why—had stimulated England (no wonder) to immense excitement. The newspapers, of course, wished for war, and the “Dogger” incident came in as a very fortunate event in the great business of journalism, which has to make a fuss about something every day. A great many people thought there would be war, but somebody recollected the arrangements of the last Hague Conference. The Russian fleet was compelled at Gibraltar to give an account of itself,

the proper Board of Arbitrators was appointed and now we have forgotten there was any "Dogger" incident, you have forgotten there was any Russian fleet, the Russian fleet has gone to the bottom of the sea, and the first Hague Conference was entitled to the pacification of Europe through that period. That is a feather in its cap which it is worth while for us to remember here; if (and we have a very strong cause) we can place reliance in our new delegates at the Hague Conference that they will not try to do what is impossible, and if we can place reliance on the good sense of the great delegation there that it will do what is possible, all the bright auguries of this morning certainly may succeed.

I am glad we are to have an opportunity to hear the distinguished man to whose eminent wisdom the Hague Conference owed so much in the beginning. I will tell something which Mr. Holls, the Secretary of our delegation then, told me,—that many of the gentlemen who were appointed to the first Hague Conference by their sovereigns came to that meeting utterly hopeless. Mr. Holls told me that one of the most distinguished diplomats there said, "What did my sovereign mean, after I had served him forty years as best I could,—why should he have put me on the shelf by sending me to this Hague Conference?" But ninety days changed all that under the lead of our distinguished friend here, Andrew D. White, under the lead of America and England and Russia and Germany, the world's peace was assured, at least for the next eight years, and as some of us hope for eight and eighty years to come. (Applause.)

THE CHAIRMAN: The Conference stands adjourned until 8 o'clock this evening.

Second Session.

Wednesday Evening, May 22, 1907.

THE CHAIRMAN: The subject to be presented to the Conference this evening is that of the coming Hague Conference. We are privileged to hear the discussion of the topic opened by the Chairman of the American delegation at the first Hague Conference. To his long diplomatic experience, his wide personal acquaintanceship with European statesmen and men of affairs, and his persistent belief in the practicability of the objects for which the Conference was assembled the world largely owes it that the first Hague Conference had a practical outcome. I have the honor to present an American gentleman, scholar and diplomat, DR. ANDREW D. WHITE. (Applause.)

SOME HINTS AS TO THE FUTURE WORK OF THE HAGUE CONFERENCE.

ADDRESS OF HON. ANDREW D. WHITE.

As the main result of the first session of the Hague Conference, in 1899, there exists an International Tribunal. The judges constituting this Tribunal have been appointed. They have been given full diplomatic inviolability, immunities and privileges as regards their persons, families and belongings. A permanent administrative committee, composed of the representatives of the various nations at The Hague, presided over by the Netherlands Minister of Foreign Affairs, has been formed, and this is always ready, at a moment's notice, to attend to every sort of preliminary detail, including formal invitations to any powers in difficulty with each other to submit their differences for adjudication, and it may be added that an international palace of justice, with an international law library, has been provided by an honored American citizen, and will soon be an outward and visible sign to the whole world that this great court of the nations *exists*.

In addition to all this, there were provided by the Hague Conference of 1899 means for delaying, hindering and even preventing war; and among these, first, a more practical system of tendering "Good Offices;" secondly, a system of Seconding Powers, under which each one of two nations, when drifting into war, is encouraged to call in the services of some other nation, there being thus imposed upon both the nations thus

called upon the duty of studying and submitting some means for establishing peace, and, in case they are unsuccessful, the duty of declaring any war which may ensue virtually ended so soon as either of the belligerent powers directly concerned shall be placed in a condition of absolute inferiority to the other; thirdly, provision was made for international "Commissions of Inquiry," the duty of which should be to make research into the real causes and nature of any difficulties arising between the two powers especially concerned, and to state them, with any means available for settling them, thus avoiding the present system of leaving any serious questions arising between two nations to the inflammatory influences of the more or less yellow presses of the countries concerned, and indeed, of other countries. Other things for diminishing the horrors and miseries of war were accomplished which are likely to be fruitful in good, the whole work constituting a very great and distinct gain to the world.

In that meeting; in the spring of 1899, as will doubtless be the case in the approaching meeting during this spring of 1907, there were no galleries, no visitors, no spectators, no reporters, no appeals to passion, and very rarely was there anything like applause; indeed, there was a general feeling that anything save earnest, close, careful discussion of the questions involved was utterly out of place. Not a harsh word was spoken during the entire Conference. It was, in fact, a meeting of men who had given long and careful thought to the subjects involved, who realized the vast importance of them, and who felt that their personal honor was involved in arriving at the best solution possible.

Various suggestions have been made since the adjournment of that first Conference in 1899, some thoughtful and pregnant, some mainly declamatory, and of one or two of these it would seem well to speak at present.

First, it has been argued that the Hague Tribunal should sit steadily and permanently, thus resembling the Supreme Court of the United States. This idea was embodied in the first American proposal made in 1899, but an almost unanimous opinion was soon developed against it. It was objected with much force that the expense of maintaining such a court in permanent session would be irksome to all the powers and that upon some of them it would bear somewhat heavily. It was also urged that such a court, in continuous solemn session, having, certainly, during intervals of many months, and perhaps even during years, nothing to do, would probably become an object of ridicule, and that finally, even among the greater powers, a sentiment would probably arise which would give opportunity for demagogues to move to strike out the appropriations for the maintenance of a court apparently accomplishing nothing. These

considerations prevailed, and the Tribunal was established as we now have it. It is my belief that any effort to change the present system during the session of 1907 will be met by the same arguments which were urged in 1899, and with the same result.

The next and greatest suggestion as to change is that of substituting compulsory arbitration for the voluntary arbitration now established.

During the session of 1899, the Russian delegates presented a plan for obligatory arbitration, of which Article 10 runs as follows:

“From and after the ratification of the present treaty by all the signatory powers, *arbitration shall be obligatory in the following cases, so far as they do not affect vital interests or the national honor of the contracting states:—*

“I. In the case of differences or conflicts regarding pecuniary damages suffered by a state or its citizens, in consequence of illegal or negligent action on the part of any state or the citizens of the latter.

“II. In the case of disagreements or conflicts regarding the interpretation or application of treaties or conventions upon the following subjects:

“(1). Treaties concerning postal and telegraphic service and railways, as well as those having for their object the protection of submarine telegraphic cables; rules concerning the means of preventing collisions on the high seas; conventions concerning the navigation of international rivers and interoceanic canals.

“(2). Conventions concerning the protection of literary and artistic property, as well as industrial and proprietary rights (patents, trade-marks, and commercial names); conventions regarding monetary affairs, weights and measures; conventions regarding sanitary affairs, veterinary precautions, and measures against the phylloxera.

“(3). Conventions regarding inheritances, extraditions and mutual judicial assistance.

“(4). Boundary conventions or treaties, so far as they concern purely technical, and not political, questions.”

It seems a thing of good omen for the future that the Conference seemed ready to adopt obligatory arbitration to this extent, and that it was dropped only when Germany, Austria and Italy insisted on its rejection as a condition to their signing the arbitration treaty.

Another encouraging feature is the fact that of these three powers, Austria and Italy were evidently in favor of adopting this restricted obligatory arbitration, and refrained from doing so only on account of their supposed duty to stand by their ally in European matters. Still another encouraging feature is that the objections of Germany did not appear to be based on any close reasoning or invincible prejudice, but rather to be the result of a temporary feeling of distrust regarding the aims of some of the European powers involved. It should be added, also, that one clause was stricken out by the delegates of the United States, namely, that concerning the navigation of international rivers and interoceanic canals, this fact being due to a fear that the

cause might embarrass our country in its efforts to secure a waterway across the Isthmus of Panama.

Remembering the discussions of 1899, and the atmosphere in which they were conducted, I feel that this Russian proposal might well be taken up again during the approaching session, and possibly be made the basis for some better development. Further reflection by the powers which formerly opposed it may well lead them to consider it, in its main features, as not only admissible but as exceedingly useful. Under its first section might well be discussed the question of putting an end to the use of force—military or naval—in the collection of debts between nations.

But in various public meetings and in sundry articles it has been proposed to make the arbitration exercised by the Hague Tribunal entirely compulsory. To this I note the following objections:

First, it subjects the Tribunal either to the reproach of being an impotent body, and therefore disregarded, or to the necessity of drawing drafts upon the energies of the nations represented by it which would result in a condition of things far worse than that which exists to-day.

For if compulsory arbitration means anything, it means the establishment of a force which can carry out the decisions of the Tribunal, and this means putting into the field far greater standing armies than any from which the world is now suffering. Think for a moment of some of the questions involving very deep political, national, racial and even religious feelings which might be brought before the Tribunal. Among these would quite likely be those between France and Germany, relating to Alsace-Lorraine; between Russia, Austria and Turkey, regarding the Balkan States; between Turkey and Greece; between Italy and Austria, regarding the Tridentine territories and the lands bordering upon the northeast coast of the Adriatic; and between the United States and one or more of the great European or Asiatic powers; say those relating to the rights of Chinese or Japanese throughout our republic, or the rights of members of the Italian Mafia or Camorra or Black Hand organizations. As to these, suppose that when we make answer to the decision of the Tribunal that a vast majority of our people are unalterably opposed to the admission of the persons concerned, or that under our Constitution we have no means of remedying the abuses complained of, and suppose then that the Tribunal says that we *ought* to have some means, and must find some, what, in the opinion of any person here present, would be the result of such action by the Tribunal upon the majority of American citizens? Does anyone suppose that a majority of our people could be induced to arbitration *compelling* the universal admission of

Chinese coolies or the placing of full grown Japanese among the little children in our state schools? A saying of a good, sensible old medieval Bishop, Ulrich of Augsburg, seems to apply. When sundry theologians were urging various extreme logical consequences of supposed scriptural dogmas, he said: "Draw not upon the breasts of Holy Writ too hard, lest you obtain blood rather than milk;" and so it may be said regarding arbitration. Leave much to the civilizing influence of thought and time, and do not press doctrines which, in all probability, would result in the discredit of all arbitration, or in unlimited bloodshed, or in both.

In my judgment, all work done in behalf of compulsory arbitration, save upon the main lines suggested in 1899 by Russia, will not merely be work thrown away, but work which may finally bring to naught the system already adopted, with all its possibilities of great good to the world. Consider merely the initiatory steps. How are the nations to drag the German Empire before the Tribunal to discuss questions which may open up the whole matter of the title to Alsace-Lorraine? How is Austria to be brought before the Tribunal to discuss her right to territories which the irredentist party in Italy insists are Italian? Supposing that public sentiment in Russia should at last side with Armenia; how is the Turkish Empire to be brought before the Tribunal? Is it not clear that the moment the principle of obligatory arbitration on a large scale is adopted there will be an embittering of questions which, if left to themselves, are, under the influence of time and thought, far more likely to work themselves out peacefully?

It is said, indeed, that instead of interfering by arms, the various nations could enforce the decrees of the Tribunal by a sort of boycott, or, possibly, by the cessation of commercial relations. Anyone who has read the history of the attempt made by the first Napoleon to enforce non-intercourse between the continent of Europe—when he virtually held it in the hollow of his hand—and Great Britain will see, at once, cogent reasons why such a system must come to naught. So far, then, as improvements in arbitration are concerned, there seem to me two opportunities. The first is open to the approaching session of the Tribunal. It is to take up again the Russian proposal for obligatory arbitration in minor matters. The second is that the public at large be so educated by discussion that whenever international difficulties shall arise we shall all insist that, to the utmost possible limit, they be submitted to the Tribunal. In this latter case, a public feeling might be created which would throw out of power any government which should refuse any reasonable resort to arbitration. As to what can be done in this way, we have an example in the development of what, in 1895, was

known as the Venezuela Question. The government of the United States took decided, and, as I believe, just action in the premises, and the people at large in public meetings so strongly expressed their feeling in favor of arbitration that between the action of our government and of our people, Lord Salisbury was at last forced, sorely against his will, to submit the questions at issue to an arbitration tribunal.

Another point in favor of peace which might be strengthened has to do with the provisions made in the first Conference for delaying, hindering and preventing war. It is well known that at the beginning of the Russo-Japanese War these means were not resorted to. Neither reminders of the Tribunal nor Commissions of Inquiry nor the system of Seconding Powers seem to have been thought of. It is evident that if these provisions are to be made effective in delaying, hindering or preventing future wars there must be a re-casting and strengthening of them, and to this the approaching session of the Conference may well address itself.

Yet another question which will undoubtedly arise in the approaching session is that of Limitation of Armaments. In the former session the attempt to deal with this question failed completely. The proposals of the special committee on the subject were wrecked as soon as they appeared in the general session. The reason is simple. The questions involved require an enormous amount of technical and, indeed, one may say mathematical study and calculation. The powers of the most expert actuary would be taxed to the utmost in calculating just what would be equivalent reductions, naval and military, between any two of the great powers — let alone half a dozen of them. Not one of the delegates in 1899 had come with even an approach to such calculations. Reflect upon some of the most obvious difficulties. Great Britain has a vast natural advantage, "the silver streak." But she also has a vast economical disadvantage, for in case of war, to save her subjects from starvation she must command the sea. This has to be taken into the account in balancing naval quotas. Russia, protected as she is by mountain ranges or vast steppes on all sides but one, from any easy attack is in a very different position from the German Empire, which has no natural frontiers on any side. The position of the United States, so remote from other great nations, is, as any school-boy can see, very different as regards this question from that of the French Republic, or the Ottoman Empire, or the Kingdom of Italy, all of which have strong rivals close at their doors. The question is of immense difficulty. I must confess to a belief that while some system of limitation may be reached at a later period, nothing very effective will be done

at the approaching session of The Hague Conference. Germany has already, through Chancellor von Bülow, announced her opposition to it, and the other powers differ hopelessly regarding it. It will come,—it *must* come,—but not yet.

Another point which has been dwelt upon by sundry speakers and writers has been the advisability of aiding, by all means possible, the means of delaying hostilities, on the ground that in this manner the war feeling in the nations concerned may be allowed time to cool; but while there is force in this, there is force in an objection which was especially insisted upon at the former Conference by one of the most eminent of its members, Count Münster, President of the German delegation, that delays, to any great extent, would promote war rather than hinder it; that they would encourage powers which are always notoriously unready for belligerent operations, by giving them time to get ready, and that this would operate to the disadvantage of sundry peaceful nations which keep themselves in readiness to mobilize their armies in the shortest time possible. Whether this argument be convincing or not, it certainly indicates a line of thought which will prevent some of the greater powers from extending the period during which approaching hostilities can be delayed far beyond the time at present provided for.

I now come to what seems to me one of the most promising fields for the activity of our delegates at the approaching Conference, and this is the doctrine, which may fairly be called the American Doctrine, of the immunity of private property, not contraband, from seizure in time of war. I need hardly remind an audience like this that the record of our country in regard to this doctrine is exceedingly honorable. We have urged it from the foundation of our government. We have even favored it when our interests seemed to be against it. At the Hague session in 1899, we again urged it, but were met by opposition from various powers, some of which, if left to themselves, would have been in favor of it, but which felt bound to stand by their allies in opposition to it. The argument which it was impossible to overcome was that the Conference could not go into the consideration of any subject outside the purposes for which it was called; that if it did so, there were a multitude of such subjects urged upon us which would not only take more time than we had at our disposal, but which would usurp the place of the really important questions which it was our foremost duty to discuss, and might, indeed, lead into a state of feeling in which it would be impossible to discuss these greater questions with any hope of success

Therefore it was that the American delegation made a sort of compromise with those opposed to taking up this question, and contented itself with the passing of an unanimous declaration of the whole body referring the matter to the next session of the Conference. It was the best that could be done, and it is to be hoped that the question may now be brought up with better hopes of success than in 1899. It is altogether probable that France will oppose this principle now, as she formerly did, and it may be that the alliance between France and Russia is still strong enough to lead the latter power to go with France in the matter, tho if left to herself she would stand by the American Doctrine. Germany, Austria and Italy may be counted upon in its favor, and so, indeed, may very many of the lesser powers. Especially honorable in this respect was the position taken by the Netherlands. It was perfectly clear that in case of war between any of the greater powers the carrying trade of the Netherlands would be vastly increased if the old doctrine were to remain, and yet the better instincts of the Dutch nation asserted themselves against their commercial interests and the American Doctrine had no more earnest supporter than they. As to Great Britain, her plea in the last Conference was that, having no instructions regarding the matter, her delegates did not feel authorized to consider it. There is no denying the fact that there is a widespread feeling in Great Britain against the doctrine which we would urge, but it is no less true that some of her most earnest authorities on international law have asserted and, as I think, demonstrated that her real interest is in supporting the inviolability of private property, not contraband, at sea during time of war, and it would seem that recent historical events are likely to strengthen this view.*

Another matter which may well be considered, and which has in it valuable germs of good future growths, is, in my opinion, the preparation of an international code in regard to the rights and duties of neutrals. It was especially recommended by the Hague Conference of 1899 to any future Conference, and it is greatly to be desired that thought be aroused on this subject among all who make international law a study, and that the public at large be enlightened as to the value of a better neutrality code in the interest of international justice and peace.

It has also been urged, and especially by Russia in the documents preparatory to calling the Conference of 1899, that means should be taken to prevent the invention of new and more terrible instruments of war, and to limit changes in armaments. Certainly this was a natural suggestion, in view

*See especially T. J. Lawrence: "Principles of International Law."

of the enormous waste of money involved in constant changes of machines of war on land and sea;—ammunition, systems of fortifications and the like. But, even granting that it were practicable, after all, is it desirable? May it not be that the constant and terrible additions to means of destruction in war are among the most powerful deterrents, not only to declarations of war, but to conduct leading to war? I remember discussing at St. Petersburg with a most thoughtful old diplomatist the question as to the probabilities and possibilities of war, which many people thought at that time imminent. His answer was: “In my despatches to my government, I constantly avow my disbelief in the approach of a great European war. Monarchs and statesmen in the old days used to go to war with comparatively a light heart. It was like gambling. At the worst, they lost a certain number of subjects, and possibly, gained a greater number; or they lost a little territory, and possibly, gained a greater territory. But now every thinking monarch or statesman sees that the case is very different. Not only has war become vastly more terrible than formerly, but it is so exhaustive that it is almost sure to set in motion a great mass of anti-social forces which may result in fearful social convulsions, and even in the loss of crowns by monarchs entering into it. War in the old time was like a duel in the open; a war in these days, especially in Europe, is like a contest for life and death with poisoned daggers in a dark room.” One has only to refer to the Franco-Prussian and the Russo-Japanese Wars to see the truth of this reasoning.

The greatest trust, after all, as regards the future peace of nations, must be in the uplifting of peoples, and in so uplifting them that when demagogues are taking a line of conduct likely to end in war between any two nations the people concerned may say: “We have a great international court already established to meet just such cases as this. The judges are already appointed. The international courthouse stands open. A commission is already appointed to take all the preliminary measures. Let us try arbitration first.”

Let me say here that I speak not at all as a pessimist. As an American, I am proud of the record our country has made; first, as regards the assertion of the rights and duties of neutrals, as far back as the time of Washington and Franklin and Jefferson; secondly, of our arguments, steadily, in season and out of season, favoring the immunity of private property, not contraband, from seizure at sea; thirdly, of the fact that the United States, more than any other power, labored in behalf of arbitration at the Hague Conference of 1899; that, more frequently than any other power, she has resorted to arbitra-

tion to settle international difficulties; that since the establishment of the Hague Tribunal she has so often resorted to it; and finally, that our nation, thru the present President, intervened so skillfully and effectively to put an end to the terrible war in the East, which had become a frightful calamity, and was sure, if not stopped, to result speedily in the bankruptcy of both combatants. Of all this I am vastly proud, but I note the fact that it has been done, not by force or threats of force, but by the cultivation of a great public sentiment in favor of peace and against war. And I also note that much more remains to be done. Our own recent history as regards war shows how readily the nation can be wrought upon to favor hostilities against any other nation whatever. My hope is that the increasing study of international law will act powerfully in favor of legal remedies to international difficulties, and that from the great number who are now in our universities and colleges giving themselves largely to studies of the relations between states, there will filter down thru pulpit and press into the midst of the people a sentiment ever growing stronger and stronger, which will make arbitration compulsory in a higher sense than any which suggests, even remotely, anything in the nature of warlike methods.

In conclusion, let me refer to one matter which ought to encourage us all. In the spring of 1899, there was very little reason to believe that the Conference then in session was more than a single passing event in the history of the world. There were, indeed, references from time to time to a possible future Conference, notably when the American plan for giving immunity to private property, not contraband, on the high seas, was referred to the next Conference. But there was undoubtedly a sense of unreality in the minds of many when this reference was made, and it doubtless seemed to not a few like putting the matter over until the Greek Kalends.

But we were building better than we knew. It can now be seen that the system of Conferences between the nations has, if we properly exert ourselves, come to stay. Here a duty may be suggested to us all. A public opinion should be developed which will consider such international sessions as natural and normal, as a matter of right, of humanity;—as a thing of course.

The lords of the earth, some of them at least, may in the future be inclined unfavorably against these sessions. They may dislike them as forcing general policies derogatory to local monarchical pretensions. But a strong, steady, widespread pressure of the peoples, if it have right reason behind it, will prove irresistible. A good beginning has been made, and this means much. Here and there a nation in the future

may decide not to take part in this or that session. The answer of the thinking world will be, so much the worse for the men who happen to control such a recalcitrant nation.

The steady pressure of the pulpit and press is a vast force. I can never forget one example of it at the Conference of 1899. Various evidences of it reached The Hague from the United States, some, of course, crankish and hysterical, but most of them showing a feeling of amazing depth and strength against the present sacrifices of mankind to the god of war.

Among these was a pastoral letter from a Protestant Episcopal Bishop in a remote part of Texas. It was simply a request to his brethren that they pray for a happy issue of the Conference out of the questions with which it had to do. There was a simple, most touching faith and fervor in it.

This letter, at the very crisis of the Conference, when it seemed to be certain that Germany and the two powers acting with her would give up the whole matter, was shown to the Chancellor of the German Empire. He was an old man who had fought long and desperately for German unity, for tolerance, for right reason. He was of ancient lineage, of what was once a sovereign house, and he was now standing next the sovereign of the German Empire as his chief counsellor and representative. He was born and bred, and remained faithful, to the older branch of the Christian Church. His brother was a cardinal. To him, at the very crisis of the fate of the Conference, were shown some of these evidences of deep American feeling, and especially this form of prayer issued by the head of a little Protestant diocese in the most remote of our American States. He read them carefully, was evidently affected by them, and, most of all, by the latter. He saw in them evidences of a depth and breadth of feeling in a great nation which he had hardly before suspected. From that moment, he supported the continuance of Germany and her allies in the work of the Conference. He was a statesman whose vast experience and whose habit of treating great questions on their merits led him to see what these papers submitted to him indicated. I never realized before so fully how across great abysses of space, occupation, religious thought and secular training the earnest voice of man may speak to his brother man. More than all else, that incident taught me the force which new and better ideas will derive from the creation of a general opinion in this republic which will press steadily for the establishment of the Hague Conference and the Hague Tribunal as essential features in the development of mankind.

My final counsel, then, as regards our duty, is that we steadily labor to develop a public feeling which will demand that

the Hague Conference meet at regular intervals, at the call of all the nations concerned, and that it boldly take the highest international interests as its province.' (Applause.)

THE CHAIRMAN: As the second speaker of this evening I have the honor to present the HON. SIMEON E. BALDWIN, Chief Justice of Connecticut and Professor of Constitutional and Private International Law in Yale University.

ADDRESS OF HON. SIMEON E. BALDWIN, LL.D.

The best thing that the first Hague Conference of peace did was to organize the Hague Tribunal. The best thing the second can do is to improve it.

In principle it cannot be improved, that is, in its aim of offering to the world a competent, impartial and independent court, before which any international controversy can be fairly tried.

In every civilized country the courts of justice do a large part of the work of the government. So far as they do it well, they can rely on obtaining public respect. In very few cases is force ever used to carry their judgments into effect. This is not simply, not mainly, because the whole power of the state stands behind them. It is because public opinion and public respect are behind them; and these forces gathering like this can help much to bring to the support of the Hague Tribunal.

The advocates of international arbitration find themselves opposed by many not unimpressive arguments.

There is that of the necessity and the justice of war under certain circumstances; and I, for one, fully grant it.

There is that of the remedy afforded by diplomacy for the settlement of international controversies. They say that this is a cheaper, quicker and better remedy than any court of arbitration can provide, and I think we must grant that also.

It is only when diplomacy fails, that international arbitration can properly come in.

Every controversy between man and man does not result in a law suit. In ninety-nine cases out of one hundred they settle it between themselves, or their agents do. So it is and always should be in differences between nations.

Another much more imposing objection is that no people will trust the justness and fairness of arbitrators who have not been trained in their own ways of thinking and are not familiar with their own ideas of jurisprudence and social morality.

It is to this particular objection that I shall address myself on this occasion, and I desire to do it by reference to what has already been accomplished in this direction.

In gatherings like this, in which our faces are set towards the future, we are apt not always to give to existing conditions and

achievements the place that belongs to them in the upward movement of the race.

There is a grandeur to international law, the law between nations, that does not attach to the law between men, or between a man and a government. Yet we have no surer foundation for international law and international justice than is given by that branch of the law between men which is already established as a common law for all nations.

I refer, of course, to maritime law. It is the same on every sea, and so extends over more than two-thirds of the entire earth. Every ship on the ocean, whatever her flag, is subject to its authority, and the courts of every nation, into whose ports she may enter, will enforce it against her.

Nor is this true simply in time of peace. Whether invoked between man and man, or between man and a government, be it his own or a foreign one, the laws of the sea will be applied in war, by one and the same rule, whenever appeal is made to the power of a court of justice for protection.

A great English judge, Sir William Scott, afterwards Lord Stowell, more than a century ago, said, in delivering judgment in a prize case:

“I trust that it has not escaped my anxious recollection for one moment, what it, the duty of my station, calls for from me;—namely, to consider myself as stationed here, not to deliver occasional and shifting opinions to serve present purposes of particular national interest, but to administer with indifference that justice which the law of nations holds out without distinction to independent States, some happening to be neutral and some to be belligerent. The seat of judicial authority is, indeed, locally here, in the belligerent country, according to the known law and practice of nations; but the law itself has no locality. It is the duty of the person who sits here to determine this question exactly as he would determine the same question if sitting at Stockholm—to assert no pretensions on the part of Great Britain which he would not allow to Sweden in the same circumstances, and to impose no duties on Sweden, as a neutral country, which he would not admit to belong to Great Britain in the same character. If, therefore, I mistake the law in this matter, I mistake that which I consider, and which I mean should be considered, as the universal law upon the question.”

To those familiar with the practice of courts of admiralty, by which this law of the sea is administered, there has never seemed anything impossible in the project, often proposed, in previous centuries, of setting up a single prize court for the world. As thought out by such jurists as Azuni and Hubner, it was to have its seat in one of the free cities, and draw its judges from every maritime power.

A court of admiralty, we must remember, has an effective way of enforcing its decrees by a suit *in rem*. It can seize a ship which is or was the theater of the cause of action, as the first step in the controversy; and holds it to respond to the final judgment.

The doings of such courts have, of course, an interest for all nations. They are widely reported in law magazines and treatises. If they seem to deserve it, they meet frank criticism. The judges know all this. They know that their acts are to go before the world for its judgment, and that they will be condemned, if not supported by this universal law, as to the justice of which the world is in agreement. Pride as well as duty therefore constrains them to follow the standards which that law sets up.

The political and legislative departments of the government to which such a court belongs have the power to abrogate or alter for their country the general law of the sea, but they seldom do it. They too are restrained by the public opinion of the world, and by the fact that this law is a natural growth from what has seemed right and reasonable to civilized man during a long course of centuries.

I need hardly say that admiralty courts are not confined to cases where they seize a ship. One man can sue another there or be sued by one. So can one government sue another before them, or indeed before any court to which they may both agree to submit their controversy. Nor are such submissions by any means unknown.

Let me mention two that serve especially to illustrate how our existing judicial machinery may serve to settle international controversies where diplomacy has failed.

The first occurred in 1874.

A French ship, *Le Phare*, carrying a cargo of guns and ammunition was seized in a port of Nicaragua by the commandant of the port. It was at a time when that country was on the verge of a civil war. The commandant asserted that the cargo was designed for the revolutionists and so the lawful subject of confiscation by the government. The affair was made the subject of judicial proceedings in the courts of Nicaragua. After two years of litigation, they decided in 1876 against the ship, condemning the cargo. The French government protested, and claimed indemnity. There was a long diplomatic wrangle, running through nearly three years more. Neither power would yield, but at last, in 1879, Nicaragua offered to submit the question of her liability to respond to the demands of the French government to the final decision of the highest court in France, the *Cour de Cassation*. France accepted the proposal. A convention providing for this reference was signed at Paris. Each government employed a lawyer from the bar of the Court of Cassation. The case was heard like any other and a judgment rendered a year later (July 29, 1880) in favor of the French owners. The court held that the judgment of the Nicaragua court was not conclusive upon it; that while the seizure might

have been in the interest of public order, it was not justified by anything justly imputable to the captain or his owners, and that the French government, as representing the latter, was entitled to receive the full amount of damages suffered, with interest at twelve per cent. from November 30, 1874, and the costs of suit.*

The second instance of a resort to the ordinary courts of one of the nations that were parties to a controversy, is that arising from the seizure by the United States of a Canadian sealing ship off the coast of Alaska, in 1887. Whether the seizure was proper or not depended on the limits of our territorial jurisdiction in those waters. Great Britain claimed that it ran only three miles out from the coast line. We claimed that it ran to the middle of Behring's straits and from the meridian of 172° to that of 193° W. longitude. A suit was brought against the ship in our admiralty court in Alaska, which decided in favor of the United States.

The true boundary limits had been a matter of diplomatic controversy for years between the two governments. This incident did not tend to allay the difference. The owner of the vessel, in 1888, appealed from the decree of forfeiture to the Supreme Court of the United States, but subsequently withdrew it, and in 1891 filed a petition in that court setting out the facts and asking for a writ of prohibition to prevent the sale of the ship under the admiralty decree, on the ground that this decree was beyond the jurisdiction of the Alaska court. Simultaneously another application for such a writ was filed in the same court by the attorney-general of Canada. In this it was stated that he acted in the matter "with the knowledge and approval of the imperial government of Great Britain." The Supreme Court of the United States was therefore invited by Great Britain to decide a cause involving the determination of the western boundary limits of the United States on the ocean, and the propriety of a seizure by the United States of a British vessel some sixty miles off shore, in waters which Great Britain claimed were the open sea, free to the world.

There can be no doubt that, had the court gone into the merits of the case and adjudged that the United States have jurisdiction beyond the three mile limit in those waters, Great Britain would have submitted to the judgment, and the judgment would have settled, as between the two powers, the true limits of our territorial jurisdiction.

The court, in their final opinion, observed that they were not insensible to the courtesy implied in the willingness of Great Britain to have it pass upon this great question, and had no

*Calvo, *Int. Law.*, III, §1764; Merignhac, *Dr. Publ. Int.* I, 464.

doubt that a decision upon it, if made, "would receive all the consideration that the utmost good faith would require," but that it was not a responsibility that the court would lightly assume, and the case really turned upon a much narrower point. This was whether the record showed that the seizure was made outside the three mile line, and it was held that it was not. The case therefore was dismissed, without going into a discussion of the boundary question.

Here then are two diplomatic controversies between governments that, by the consent of one of the powers concerned, were referred to the highest court of the other for final and conclusive decision, in the shape of an ordinary law suit, to be conducted precisely as if it were one between private individuals. Such a course is not infrequently followed in controversies between a sovereign and an individual subject of another sovereign, in preference to making it a subject of diplomatic negotiation.

No higher testimony could be asked for of the trust in human justice as administered in the courts of last resort of a great nation, that is generally felt by the civilized world.

I do not think that the cases already disposed of by the Hague Tribunal have impressed the public mind throughout the world with any profound sentiment of confidence in its reaching just conclusions in all cases.

The remarks of one of the Russian judges presiding in proceedings coming on for a hearing at the outbreak of the Russo-Japanese war—in which he apparently sought to use the opportunity thus given him to bring the public opinion of the world to the support of the Russian position—created a very unfavorable impression, and warranted the strong protest against his action subsequently filed by Japan.

The implied indorsement, in the Venezuela case, of the use of ships of war to force a settlement of disputed claims of private individuals was distasteful to many of the friends of peace. The court gave a preference in payment to claims of citizens of powers which had thus intervened for their enforcement and obtained a kind of security for them, by taking possession of Venezuelan ports. This was certainly putting a premium on armed intervention to safeguard private interests.

The membership of the court is also so large and so heterogeneous and the training of the different judges has been so different in the matter of legal acquirements and judicial administration, that some of those upon the bench command much more respect from the world at large as regards their qualifications for such a place than do others.

It has been suggested that the Hague Tribunal should be kept continually in session. This, as the court is now constituted, would seem hardly practicable.

Of the hundred judges, more or less, of which it would be composed were each power to appoint all which it is entitled to name, probably not half would be really capable of trying such cases as are likely oftenest to come before it. No judge can sit to advantage without considerable familiarity with the French language, nor without having made a special study of international law. The rules governing the production of evidence in countries following the Roman law should also be known to those who are to preside at any trial in the Hague Tribunal. It is obvious that in every case that comes before it the procedure of the tribunal itself takes shape, and furnishes something in the nature of a rule for subsequent hearings, which will be best understood by those who tried the cause.

All these things point to the conclusion that the *personnel* of the Hague Court, as now constituted, is not of a kind to make permanence in its sessions desirable. The theory on which it was devised was to furnish a large panel of standing judges out of whom the parties to any controversy could select a few with whom they would be content to leave its decision. To keep them all stately at or near The Hague, whether with a view of having them ready to respond promptly to a call for their services, or in order to fit them better for the execution of their office, would involve an expense out of proportion to the benefits that could be anticipated, and might also tend to discourage some of those best qualified for such a position from accepting an appointment to it.

It may be added that the objections, already strong, to admitting a judge of the tribunal to practice before it, would be intensified if all the judges were always in attendance. Instances have already occurred in which certain of them have been heard as counsel, before a bench occupied by their associates. Such a practice is defended, though hardly defensible, on the ground that the judges are really only such when called upon to sit in a particular case. So long as the total number remains as at present this is practically true.

If the court were one of not more than ten or fifteen judges, different considerations would apply. With a smaller membership more efficiency would probably be reached. But on the other hand there would be apt to be less readiness to resort to it, particularly on the part of the lesser powers.

The great good of the Hague Tribunal is that it offers an acceptable way of bringing international controversies to an end without a resort to arms. It is often even more important, both for the parties and the general good of human government, to have a decision rendered that brings a controversy to an end, than that the decision should be the right one. Be it right or wrong the dispute is closed and society is left at peace.

The Hague Tribunal is less adapted for the attainment of justice between litigating powers than the ordinary courts of law in countries of high civilization. But contending powers will seldom be content to litigate before the ordinary courts in either. They will often be content to litigate before The Hague Tribunal, because they can pick out those of the judges in whom they have the most confidence, to hear their cause, and because, at any rate, it will be better than war, and saves to each the humiliation of acknowledging itself to have been in the wrong, which it might incur should it surrender by its own action the position which it had previously assumed.

Let, then, be the task of the coming conference of peace to make the Hague Tribunal, in the nature of its constitution and the course of its procedure, worthier of its lofty place. It will be labor well bestowed. (Applause.)

THE CHAIRMAN: As the next speaker I present the HON. BARTLETT TRIPP, of South Dakota, former Ambassador to Austria.

ADDRESS OF HON. BARTLETT TRIPP.

Ladies and Gentlemen: I have determined, after listening to the delightful remarks which have been made by those abler gentlemen who have been familiar with matters of the Hague Conference, who have given us so much in detail in reference thereto, to be more academic in what I have to say to you and talk rather from the position of a layman with reference to the subject which you have assigned to me, and for a few minutes I shall ask leave to dwell upon the general character of the Hague Conference and its future.

It is pleasant to feel that no American audience needs any argument to convince it as to the necessity of the immediate establishment of a permanent tribunal for the hearing and final determination of all controversies arising between the nations of the civilized world. In fact, the great surprise is that this step in the progress of civilization has been already so long delayed. The settlement of individual controversies by wager of battle has so long ceased to exist that the younger generations of our people learn with surprise that it ever had a place in our jurisprudence. And the young reader of the old romances inquires whether it be really true that the nobility of England were ever obliged to summon their armed retainers as a guard when returning at night from banquets or places of entertainment. And they ask with surprise whether the streets of London were ever in fact turned over to the banditti and highwaymen after the sun had set. A long period has elapsed and civilization has made rapid progress since

might determined the rights of the individual man. And no citizen of to-day would again consent to submit his claims against his fellowman to a trial of physical strength. Our present civilization, our enlightened conception of the rights of others make these methods of the past seem like creations of the imagination, or the extravagances of poetry and romance. Yet we are still practicing as nations what we have so long condemned as individuals. Ought not the aggregation of individuals to be wiser than the individual himself?

Again, it is a fundamental principle of enlightened jurisprudence that no man shall be the judge in his own case. So rudimentary is this rule of human action that it is presumed no enlightened nation has deemed it necessary to embody such precept in the provisions of its written constitution, for there are some principles of human rights so elementary that to circumscribe them by written law would take from them their sacredness of character and lessen respect for their observance. No court of justice in any civilized land looks to the provisions of a written constitution or the enactments of a legislature to determine whether a man may assume to try and determine his own case or one in which he may have any interest, however remote. The conscience of civilization would be shocked by the audacity and turpitude of a judge who sought to override such unwritten law. Yet we are continually committing this crime as a nation which we so emphatically condemn as a people. Every nation that sends its fleet to demand and obtain from another nation the payment of debts due to its citizens or to itself, is acting not only as judge, but executor in its own case. Shall we be longer virtuous as citizens and criminal as nations? Shall we longer act the part of just and enlightened citizens toward the individuals of other nations, and the part of a criminal and barbarian state toward them as nations? When we have once established a tribunal with power to hear and determine the grievances of nations, the rights of states to collect national and individual debts by force and the learned discussions of Drago and other distinguished writers upon such assumed national rights will need no further consideration at our hands.

THE MOMENT IS AN AUSPICIOUS ONE.

No more favorable period of time has ever existed for the consideration of this question than the present. It would have been idle to ask the ancient governments of the world to submit the rights of their subject provinces to a court of arbitration. It would have been idle to so appeal to the great Rameses II who sought to extend his empire of the Nile over the known continents of Europe and Asia. It would have

been idle to appeal to the great Babylonian, Assyrian and Medo-Persian Empires, whose rulers each in turn sought to extend the limits and surpass the grandeur of the reign which had preceded them. It would have been idle to appeal to Alexander whose ambition was to make the boundaries of Macedonia coterminus with those of the civilized world. It would have been idle even later to appeal to the great Roman Empire to submit the rights of its conquered provinces to a tribunal of arbitration. These great empires made war, not for vindication of principle but for conquest and the gratification of personal ambition and power, and their victorious armies left behind them nations of slaves with no governments but the absolute will of the conqueror himself. But in the onward march of time when the ruins of their splendid civilization are the only history left to us of the greatness of these mighty empires, when the Slav, the Teuton, the Frank and the Anglo-Saxon have erected their great empires upon the ruins of haughty Rome; when in the onward march of civilized progress these mighty nations segregated and bound together, each by its common tongue, have learned to respect each the rights of the other; when by consensus of common wisdom the great powers of the modern world have come to know that the establishment and maintenance of separate and independent nations are necessary and indispensable to the well being and good government of the civilized world, then may an appeal to their reason and judgment to form a tribunal having power not only to settle the controversies of the past, but also to provide a code of rules and law which may prevent the recurrence of such evils in future, be successfully made. Laws enacted in advance or decline of the popular will are observed only in their breach. A remedy follows naturally and immediately upon the recognition of wrong. As soon as the nations of Europe recognized the necessity of a division of the peoples of various tongues, habits and traditions, into separate and independent states, so soon did the united voice of the great powers, in council, begin to determine the rights of each, and for more than one hundred years have the great treaties, notably those of Paris, Vienna and Berlin, fixed and determined the status of the kingdoms and empires of Europe, while on our own continent under color of the Monroe Doctrine we have assumed to protect and guard the rights of our own sister republics, and so far has the power of concerted action extended, that the results of war are now no longer left to the determination of the contending nations. And the conqueror is no longer permitted to enforce harsh and oppressive terms upon the vanquished nation; but the whole world assumes to be interested in the settlement of the victor's claims. Notable

examples of this asserted right are observed in the treaty of Berlin, which not only refused to allow Russia to enforce its claims already consented to by the suppliant Turk, but such congress to its lasting disgrace, be it mentioned, restored again to the yoke of Turkey those provinces of eastern Europe which, by the treaty of San Stefano, had been declared forever free. And the great powers again intervened to deprive Japan of the fruits of her victory over conquered China, and compelled her to surrender Port Arthur, the peninsula, and to relinquish all claim to the mainland of China and to content herself with Formosa and a few smaller islands of the sea. Our own nation, too, has broken over its early traditions and has now assumed its place among the nations of the world, and we observe with pride the part it took at Algeciras in determining questions which affected the interests of the entire world. And later we are pleased to observe at the earnest request of the great nations of Europe, our good offices were again invoked and successfully employed by our tactful executive in bringing to an early and favorable issue one of the most bloody and determined wars of modern times.

So rapid then, has been the progress of concerted action in assuming to hear and determine the rights of other nations, that it requires but a single step in advance to establish a permanent board or tribunal for the determination of all controversies that may hereafter arise. It would be but making permanent in the future, what has been temporary and provisional in the past.

WHAT KIND OF A TRIBUNAL SHALL IT BE?

I have observed with some interest the discussion of the learned men who composed the late Peace Congress in New York, but I do not agree with those gentlemen who advocate international police to carry into execution the awards of the new tribunal. The civilization of the world has not yet reached the point that the nations will submit to foreign dictation even of a central government in the collection of international claims. In my judgment, it would be idle to clothe the new tribunal with executive powers. Nations are very jealous of yielding any of their powers to another nation or tribunal. We had some experience of this in the attempt to found our own national government. All of the states wanted a central government but few of them were willing to surrender any of their own sovereign powers to found a central sovereign government. And it is believed that had the people then understood the constitution to have contained the national powers which subsequent construction has given it, the chances would have been feeble indeed for its adoption at the polls. I

doubt, too, if any additional strength would be given to the tribunal by adding a power of execution. The strength of modern governments, especially of republics, lies in the enlightened public opinion of their people. And a nation that is sufficiently enlightened to consent to the establishment and maintenance of an international board or congress of arbitration, will be forced by the healthy public opinion of its own people as well as the opinion of other and disinterested nations to comply with any judgment rendered against it by the tribunal to which it has submitted its claim, how much soever it may be disappointed in the judgment it has obtained. The honor and dignity of its own people, the respect due to the tribunal which has determined the question, and the silent influence of every other nation represented in such tribunal are a power more potent than any force of liveried police that might be sent to execute the judgment of such a court. In my judgment the tribunal or congress (for the latter word appeals to me with greater weight) should be a permanent one represented by every civilized government of the world, if possible, by members in number governed by the population of each nation, or by some other proper standard. And that such tribunal should have both legislative and judicial powers,—judicial powers to determine controversies already arisen and to arise, and legislative powers to adopt a code of international rules and law to govern all future cases that may arise. It needs no argument to convince us that it is time for the nations to have agreed upon some of the simpler and necessary rules governing the rights of belligerents and neutrals in time of war. Each nation should no longer be a law unto itself. It is humiliating to think that so far we have been unable to agree upon some of the simplest and what ought to be the conceded rights of nations in time of war. And we blush to think that civilized and enlightened states still cling to the old barbarian right of *Marque and Reprisal*, making its citizens robbers and banditti with right to prey upon the property of citizens of the belligerent nations, and other equally barbarian laws of war. What so appropriate tribunal to determine the rules and laws that should govern the intercourse of nations, both peaceful and warlike, as a representative congress of all the nations of the civilized world?

It is no objection that legislative and judicial powers are combined in one body. We fought the seven years war of the Revolution under such a Congress. It had both legislative and judicial powers, and like the congress we propose, it had no executive power but the people's will. England has got along very comfortably with a Parliament, one branch of which has always retained and exercised judicial powers. And many of our states, notably New York, gave to her early senate in

imitation of the House of Lords a right to final review of cases pending in her courts. Such a congress or the litigants themselves might well select from its body certain of its distinguished lawyers to hear and determine cases submitted to it as a judicial tribunal, while all its members could take part in enacting the legislation required.

Such a tribunal would be more economical than one attempting to maintain separate and independent departments of international government. Besides, as I have already suggested, I do not believe the time has come, if it ever will, when the nations of the world will agree to any form of a central international government. It would not be so difficult to get Americans to concede some rights and powers to a great international government, for we have been educated in the local forms of governmental administration. We have attended town meetings and city elections. We believe that the city and town is, in a sense, sovereign in all matters of local concern; that the county should determine all matters pertaining to such subdivision; that the state should be sovereign in all matters pertaining to the state and that the nation is sovereign in all matters pertaining to the nation itself. The theory is perfect, though the courts sometimes find trouble in carrying it into execution. But it must be remembered that this theory of government is American and is founded on the principle that the right to govern comes from the consent of the governed. It is opposed to the theories of our friends across the water who believe that the right to rule comes from Deity itself. Ours is government in the ascending scale while monarchy, limited or despotic, is government in the descending scale. And the times are not yet propitious to hope for the consent of the monarchial nations to a new dispensation of Divine Providence establishing over all nations one great central government.

The most then that we can hope for is an international tribunal clothed with powers—advisory to be sure—but powers backed by the implied promise of all the nations that its laws and mandates shall be respected and obeyed. Such a tribunal, which weakens no nation by withdrawing from it any part of its national powers, but which is the creation and offspring of every nation and which governs not by inherited or delegated powers, but by the powers of the nations themselves exercised through it, will be stronger and will wield a greater influence than any attempted central governmental or tribunal of delegated powers, at least, under existing forms of national government and the existing civilization of the human race. (Applause.)

THE CHAIRMAN: The HON. RICHARD BARTHOLDT, Member of Congress from Missouri, and Chairman of the American Group of the Interparliamentary Union, who was to have been one of the speakers at this session, is unavoidably absent. He has addressed a letter of suggestion to the Chairman, which will be referred to the Business Committee and entered upon the proceedings of the Conference.

LETTER FROM HON. RICHARD BARTHOLDT.

ST. LOUIS, May 20, 1907.

Dr. NICHOLAS MURRAY BUTLER, *Pres. Arbitration Conference, Mohonk Lake, N. Y.:*

My Dear Doctor.—Important engagements at home preparatory to my trip abroad make it impossible for me to attend this year's Mohonk Conference. If I were present I should gladly submit some remarks on the subject of disarmament and arbitration. We all understand, of course, that disarmament is not the right word, the most that has been asked being an arrest of armaments for a period of five years. Even this proposition, however, is meeting with determined opposition by some of the military powers of continental Europe, and rather than see The Hague Conference fail the American and English statesmen should, in my judgment, forego the discussion of this subject. While such a discussion would undoubtedly be of the greatest benefit, an arrest or reduction of armaments will not be secured until they have become more or less unnecessary. Hence the real problem seems to be how to apply the natural law—that what is no longer needed will soon cease to exist. In my humble judgment this can only be done by providing a machinery administering justice between nations and by pledging the governments through treaties to make use of that machinery. In other words, the second Hague Conference should take up the work where the first conference succeeded, and not where it failed, and progress along the line of international organization with a view to substitute law and justice for force will be a forward movement along the line of less resistance. This fact amply justifies and explains the program which the Interparliamentary Union has mapped out for the Hague Conference, the two salient points of which are the American propositions to make the Hague Conference a permanent body with periodical meetings, and negotiate a general arbitration treaty which specifies the controversies to be arbitrated and provides that in the case of vital differences an investigation shall be had by a commission of inquiry before the sword is drawn. No well-meaning government can refuse to give its assent to these two moderate, sane and practical propositions. And if The Hague Conference should approve them and do nothing else the friends of international justice and peace, the world over, would have every reason to rejoice in the results of the conference.

This year's Mohonk Conference is of more than usual importance because of the time at which it is being held, namely, the eve of that great Congress of Nations at The Hague, and I sincerely trust that it will again go on record as most emphatically endorsing the propositions which emanated from American minds and have been approved by that great organization of law-makers, the Interparliamentary Union. We are indulging in no vain hope when we say that if the American delegates will champion the plan above outlined it is sure to become a part of the

world's judicial machinery with the result of establishing the world's peace on a more permanent foundation.

Congratulating you upon your noble efforts in behalf of our cause and wishing for a harmonious and successful conference, I remain,

Most sincerely yours,

RICHARD BARTHOLDT.

The last speaker of the evening was Hon. John Barrett, Director of the Bureau of American Republics, who, being suddenly called away, was obliged to speak at this session. His excellent address will be found as part of the proceedings of the fifth session for which it had been prepared.

THE CHAIRMAN: The Conference stands adjourned until to-morrow morning at 10:00 o'clock.

Third Session

Thursday Morning, May 23, 1907

THE CHAIRMAN: Nearly four hundred years ago Martin Luther addressed an extraordinary letter to the Burgomasters of the German towns and cities. In that letter he said that the strength of those towns and cities would not be found to lie in their wall, however high and broad; or in their armor, however stout and well made; but in their men and women. "And where," said Luther, "are the men and women to be found, save in the boys and girls now in the schools?" In the spirit of Martin Luther we turn this morning to the place of education in the movement for international arbitration.

As the first speaker I have great pleasure in introducing a gentleman who is not only distinguished in the field of educational administration, but one who is the only surviving member of the great court constituted by the Government of the United States to pass upon the claims submitted by citizens of the United States for participation in the fund which was the outcome of the Geneva Award. I take pleasure in presenting HON. ANDREW S. DRAPER, Commissioner of Education for the State of New York.

THE SCHOOLS AND INTERNATIONAL PEACE.

ADDRESS OF HON. ANDREW S. DRAPER, LL. D.

Mr. President: I am expected to treat of what the schools may do to promote the peace of the world. This involves my understanding of the basis of world peace. If I can not have a confident philosophy about that, I cannot rationally think of the relations which the schools ought to sustain to it.

Dr. Draper then traced social progress beginning with the birth of Christ, showing the necessary and important part played by force in overcoming brutal aggression and paving the way to constitutionalism. He dwelt on the present need of certain forms of force to preserve the integrity of government and maintain order, and on the obligation of the constitutional governments to exercise control over lawless states. It required thousands of years to establish in law the principle that decent people must stand for the opportunity of each and the good of all. It will be no small matter to establish this principle in international law. Dr. Draper continued:

It is perhaps too much to expect that nations will bind themselves in advance to accept the determinations of an international tribunal. That may be parting with sovereignty,—the one thing that nations can not do. But the very

fact of participating in setting up an international tribunal establishes the purpose to respect it. The very fact of submitting a case to it proves the expectation to abide its determination. Nations which take these solemn steps and then repudiate them, without assigning a reason which commends itself to the sense of the world, will forfeit the international respect which is alike vital to the standing and the strength of nations, and without which they are little to be feared.

The nations have come to live so closely together; the news of the world is so widely and quickly known; the mind of the world is so enlightened, the moral sense so strong, the principles of justice so widely and firmly established, and, withal, war has become so mechanical and abhorrent, that it does seem as though there should be sufficient agreement among the more progressive nations to establish some substantial form of constitutional procedure *between* as well as *within* the nations. It at least ought to go so far as to prevent aggressive warfare without just cause, or even *with* just cause, without imperative need. But I am not prepared to oppose all warfare. The deliberate thought of an enlightened people ought to have its way after every other alternative has failed.

I feel bound now to qualify my expressions as to the need of force to uphold law and maintain sovereignty. I do not agree to the endless accretion of idle armament and unusable forces. The educative influence of it is bad; the surplusage of it is exactly opposed to the only legitimate purpose of it.

It would seem that any general and efficient scheme for settling international controversies must depend upon—(a) ripening public sentiment, (b) a permanent court of such exalted character that no people with a just cause would fear its determinations, and (c) a written and steadily augmenting code of legal principles which ought to govern international conduct both in peace and war.

The sentiment is crystalizing; the forerunner of the court is already in being and the permanent court seems likely; the code has augmented slowly while its only opportunity was through agreements in treaties or precedents, but it will be more rapidly expanded when there is a place to submit issues and when determinations are more frequent.

This is what I would like to aid, and therefore what I would be glad to have the schools promote. It is often easier to exploit propositions when one has no official responsibility about them. It is sometimes disconcerting to be fettered by facts and burdened by responsibility. This question would probably be answered more to the delight of an enthusiastic conference by one who has no official responsibility about the schools, or by one who has not been in a school since child-

hood—which may have been as much as ten or twelve years ago. Now no one should take offence at that for you doubtless all know as much about schools as I do about peace.

There are schools in all countries. With this conference in mind I have caused a careful investigation to be made as to the number of teachers in the world. The figures surprise me. There are 150,000 in Austria-Hungary; as many more in France; 232,000 in Germany; 275,000 in the British Isles; 97,000 in Italy and 30,000 in the Netherlands; 180,000 in Russia, 18,000 in Sweden, and 13,000 in Switzerland; a full half-million in India; 120,000 in Japan; 30,000 in Canada; and 580,000 in the United States. All the other countries, civilized or semi-civilized, have their fair proportions. There are clearly more than 3,500,000 in all

It is a great guild. There is no such widely distributed fraternity in the world. Of course there are all kinds in it, but they have much in common. It is their business to differ and their delight to discuss, but their work brings them into accord upon the essentials of right living and of international comity and brotherhood. I doubt not the predisposition of the overwhelming number, and if in some way they could be quickened to use their quiet, steady and indirect influences to substitute rational determinations for the arbitrament of the sword in settling international disputes, it would have a telling effect upon the sentiment of the world. It would seem as though, with a little governmental favor, official records, and our free communication, there might be a somewhat systematic and potential canvass of the teachers of the world in the interest of universal good-will and of the common regard for definable moral standards which ought to be inviolable in both individual and international conduct.

For example, let it be understood that one nation will not be allowed to despoil another for the sake of empire or other greed, because it is immoral, and the ordinary motive of aggressive warfare will have disappeared. For example, again, if it could be realized that all men and all governments are responsible to one another for the security of each and the opportunity of all; that all government is necessarily a burden, and that each must carry his part of the burden according to strength, the consequent feeling of comradeship in effort would become an impenetrable barrier to unholy war. The teachers of the world might, through an organized movement, become a very great force in doing all this. More thoroughly educated concerning it themselves, they would, at least by the indirect influence—which is often more telling than the direct—propagate it in all parts of the earth.

The universities may well be counted upon to give point, form and expression to the better sentiment of all countries in this behalf. It has a proper place in their offerings; it is attractive to their advanced students, and their teaching is bound to give opportunity and impetus to this good movement. Their research and their publications may well be expected to illumine and soundly expand the law of the State, and the manifest and growing comity between the universities of the more enlightened and powerful nations ought to open the way for the extension of constitutionalism to the vital issues which are inevitable in international relations. It is particularly so since the better schools of law are in organic association with universities, and more particularly still it is so since the experts in the universities are coming to be the best equipped advisers of nations upon technical points in serious international disputes.

The work of the colleges, and in some measure that of the secondary schools, may well anticipate that of the professional schools and the universities in this as in other matters. The phases of it which may properly form a part of the work of the elementary schools are not obvious. It must be said frequently that it is high time that we stopped clogging the curricula of the lower schools with so much that pupils may learn in one-tenth of the time when the place for it is reached—if, indeed, there is any place for it at all. If we teach the elements of knowledge and exemplify the elements of good morals in the primary schools, we shall not be censured if we omit constitutional law, political history, and international arbitration.

Of course there should be nothing in the schools to distort the understanding or obscure the outlook of children. It has often been said in peace conferences that the text-books in the schools emphasize the triumphs of strife rather than the struggles and accomplishments of peace. It does not seem so to me. We can not expect the text-books to be prepared without reference to human interest. The news and magazine writers ought not to criticize them for that. The readers and histories and geographies, in the texts and the illustrations, seem to me to exemplify very fairly the struggles and progress of all of the interests of peace in all parts of the world. The literature used by the schools is the best in the world, infinitely more choice than ever before. It is not the literature of strife so much as of peace, work, and culture. One who is advocating a particular thing is hardly likely to be an unbiased judge when his special enthusiasm is involved. In recent years there is distinctly discernible in school literature a new purpose to magnify accomplishments in the arts and sciences, rather than the triumphs of armies. And we had better not forget. History must be written truly. The boys who have ginger in them will have to know what has hap-

pened; they will have their opportunity; they will draw conclusions for themselves. The work of the schools makes for independent and virile thinking within the limits which hard facts impose, and therefore for balanced manliness and womanliness, more than ever before in human history.

We are frequently asked to set aside a day or an hour for exercises to promote this, that, or the other cause in the schools. The cause is generally a worthy one. Sometimes it is one about which patrons of the school will differ. It may have reference to trees or to birds, to universal peace, or temperance, or woman suffrage, or athletics, or to memorials to soldiers or tributes to authors, or to spelling in new ways, or to professors practicing on guinea pigs, or to the bad influences of automobiles upon the wretches who run them, or to raising funds to be used in searching for the North Pole. I do not think these things as important as world peace, but there are misguided people who do. And it must be said, with sadness, that they are very aggressive and seem to have no care for peace at all. It can not *all* be done. Very little of it ought to be done. It is not the business of the schools to promote special causes. If attempted, it is impossible of success without special programs and instructions, which cost time, money and labor. It is a good deal of a matter to interfere with the regular order in the thirty thousand schools in this State, for example. In private schools the authorities may do what they will about any such matter. In public schools the local authorities may do almost anything, not repugnant to law, that the general sentiment of the place will sustain. But the school authorities of an American state are not expected to promote particular causes outside the accepted functions of the schools, without the special sanction of law. A state school officer is only an administrative or executive officer. He does not own the schools. He is not to interfere too much with local rule either affirmatively or negatively. He acts for all. He acts only in matters common to all and pursuant to the will of at least the majority. If the people of the state want anything done in all the schools, and it is not being done, they will be likely to write it in the law so that the officers who may cause it to be done for them may know definitely what they want.

In a concluding word, the mind and heart of the world cherish good-will and abhor war. But natural rights are cherished more than peace and they will be maintained even though conflicts ensue. In well-ordered life rights are ordinarily maintained and conflicts are avoided by the submission of good citizens to the rule of law by submitting disputes

to the decision of courts, and by using the common power to punish the undesirable citizens. States which are sane enough and strong enough for this, naturally come into agreeable relations with other states of like character. Commonly that is enough. But there are men and nations who prefer to be outlaws; and there are men and nations with no inclinations towards outlawry who have differences that can not be settled by discussion and agreement. Moreover, men and women do not separate into nations upon moral lines. Without much reference to causes, some in all nations would have conflict for the mere sake of conflict, or for a mere show of strength and the power to bully; some would avoid conflict at any cost; and some believe that force is never necessary to the maintenance of just principles. We have to deal with common opinion and with prevalent conditions. Differences between men will continue to arise and they will be settled by conciliation, by arbitration, by judicial determination, or by force. The more serious differences between nations as well as between men will have to be settled in one of these ways. Many of the differences between nations are settled by discussion and we hear little of them. Some are settled by arbitration, to the avoidance of many wars. But international arbitration of aggravated disputes is not much to be relied upon except between the most enlightened nations having predominant moral sense. Settlement by law will be the surer, but it depends upon common sentiment, upon some kind of continuing agreement, upon principles being reduced to form, upon an established and satisfying tribunal, upon recognized practice for joining issues and proceeding to determinations, and upon the extent of the understanding that the nations will submit to it themselves and support its judgments in all parts of the world.

This is international constitutionalism. It is constitutionalism in its fullest flower. Arbitration *may* avoid war; constitutionalism is a *system* reasonably certain to avoid war. Even more, it is forehanded, it is the object lesson, it is educative, it quickens initiative and it opens opportunity to the best impulses of all people in all the nations. The schools, particularly the schools of the masses out of whose freedom constitutionalism has always sprung, can ill afford to have no part in helping it on. But it must be a part which is neither sporadic nor spasmodic, neither memorized nor mechanical. It must spring out of that impulse and grasp which provide the background of all substantial accomplishment: it must proceed from impulse to result with due regard to the basis upon which the schools rest and all of the other interests which center in them. And that must come through the

thinking of the teachers rather than the mechanism of the schools.

THE CHAIRMAN: As the second speaker of the morning, I have pleasure in presenting the scholar and educator, who, after a successful and varied experience in different parts of the United States, has been called by the President to assume direction of our central educational lighthouse, the Bureau of Education—The United States Commissioner of Education, DR. ELMER ELLSWORTH BROWN.

THE PUBLIC SCHOOLS IN THE MOVEMENT FOR INTERNATIONAL ARBITRATION

ADDRESS OF HON. ELMER ELLSWORTH BROWN, PH.D.

Mr. Chairman, Ladies and Gentlemen: I remember that some years ago Dr. Draper had a controversy with a Massachusetts man in reference to some point in educational history, and after it had gone through several issues of a magazine, Dr. Draper wound up by saying that the New York side of the case was all right, but it needed the help of a Massachusetts man to tell the story! Now I have great satisfaction in differing with Commissioner Draper—it happens that I succeed in differing with him only on some minor points—that is, I should have great satisfaction in differing with him upon those points if only I could have the help of a New York man to tell about it.

By way of introduction, I venture to repeat the recommendation touching this subject contained in my first annual report as commissioner of education, which is now in press. It reads as follows:

The second recommendation which I would respectfully present is concerned with the fact, which every year makes more obvious, that our public education has passed into an international stage in its development. The approach of the second International Peace Conference at the Hague has turned public attention to the many-sided modern movement toward a peaceful adjustment of international relations. Governments, in striving to maintain an honorable peace, require the reinforcement of popular sentiment, and it is of the utmost importance that such public sentiment should steadily demand a peace which makes for righteousness, and no other peace than that which will make for righteousness. (President Roosevelt and Mr. Carnegie have taken all the wind out of that sail by their recent controversy; so I will have to state that this was written entirely without their knowledge or foreknowledge.) A public sentiment calling for such peace will be stable only when it rests upon an appreciative understanding of other nations. In this there is a great work for education the world over, that it help the nations understand one another. Whatever the schools may do to this great end will count for real education. Can any form of learning, in fact, be more liberalizing, more expanding, more

tonic, than the insight gained through knowledge of other peoples, our contemporaries, who with us are the makers of modern history?

Already a considerable movement is under way looking to the annual commemoration in the schools of the United States of the opening of the first Hague conference, which occurred on the 18th day of May, 1899. Such a celebration seems eminently desirable, by way of laying due emphasis in the schools upon the vital relations of modern peoples one to another. I would accordingly recommend that, so far as consistent with State and local conditions, the 18th day of May in each year be designated as a day of special observance in the schools. It is particularly desirable that in the celebration of this anniversary day, and in the instruction of the schools throughout the year, the effort be made to promote an insight into the true aims and aspirations of our own nation and of the other nations with whom we are to work together in the making of a higher world civilization. This view calls for a more thorough teaching of geography and history in the elementary schools, that the first notions formed by the children in those schools, of our relations with other lands and peoples, may be true and temperate; it calls for a better teaching of modern languages and literatures in our secondary schools and colleges; and in the more highly specialized studies of commercial and technical schools, it calls for more thorough and accurate instruction in all subjects having to do with the relations of our home land with foreign lands.

This is not a foreign view of American education, but rather an American view; for it is already clear that American institutions can reach their full development only by finding their rightful place in the current of the world's history, and that only by so doing can they become fully American.

While no one will attach supreme importance to the special observance of one day in the school year, even such annual emphasis upon this theme will not be without its value. I am the more disposed to think that it may be of some significance, from the fact that the idea of such observance has arisen quite independently in the minds of different persons engaged in widely separate educational service. I had planned to make this recommendation and had actually written the first draft of it before I knew that such a plan had occurred to any one else. When it transpired that a well-defined movement to this end was already under way, I was glad of the opportunity of adding what I might to the impetus of that movement.

It is clear, however, that a celebration which breaks from a clear sky on one day in the year and passes from thought when that day is past, cannot take a deep hold on the minds of many children. Nor do I think we have a right to devote one day of the school year to a purpose which has no connection with the ends of general education. It is not with a view to propaganda of an isolated reform that this day is entitled to its special place in our school calendar, but with a view to a neglected and essential element in general education. And that element is an appreciative understanding of other peoples than our own. The child brought up apart from other children misses his best chance of a practical education. So a people that goes on in ignorance of

other peoples or in blind antagonism to other peoples misses its chance of adding their civilization to its own. It is just this element of a liberal education which should be emphasized in the schools, not one day in the year but throughout the year—such a knowledge and appreciation of the other peoples of the earth as shall help us to add the good things of their civilization to our own civilization and to live with them in the enjoyment of civilized relationships. Even well down in the elementary schools, the efforts of our little Americans to overcome the primitive distrust and disparagement of the peoples of foreign lands is a liberalizing influence. It is an Americanizing influence, in view of the fact set forth by Mr. Stead, that America is the one great international country of the world. It may well be believed, too, that the pupils in the upper grades of our elementary schools may be led to take a lively interest in what is doing at The Hague, as in a notable passage of world history passing under their eyes. Its immense significance, as a culmination of earlier movements and a possible beginning of greater days to be, may well make its appeal to the imagination of our young people. And the imagination which looks forward to the “federation of the world” may quite as safely take its place among the forces of education as that which dwells on the glories of war.

But this after all is but a small part of what the schools ought to do to promote international arbitration. The best that they can do, in the long run, is to foster the genuine spirit of arbitration, and to establish those modes of thought that dispose men to arbitrate their differences. Let us consider here three ways of settling differences among men, and see what the teaching of the schools may be expected to do by way of furthering that type of thought which lies nearest to arbitration. The primitive way of settling a quarrel is an appeal to arms, a decisive physical fight. This is the spontaneous method of uncontrolled anger. But it has in it many nobler elements, and chief among these is the religious faith that the God of might and right will add His strength to the strength of the righteous cause. Each combatant is sure that the righteous cause is his own, and the strong sweep of his anger and his faith is seen in his readiness to risk losing all in the hope of gaining all. A second way is the way of compromise. A willingness to compromise shows that the parties to the quarrel hold one thing as of greater value than the things for which they are contending, and that one thing more precious than all the rest is peace. Or, at least, each of the contending parties holds that a fragment of that for which it strives, together with relief from strife, is better than the chance of gaining all through hard and dubious

conflict. Compromise has, no doubt, its rightful place and in the daily dealings of men with men it must play an important part—a larger part, indeed, than we commonly realize. But on the whole it represents a weaker attitude than the attitude of direct antagonism backed up by strong conviction. An age in which compromise takes the leading place instead of a subsidiary and intercalary place, an age distinctly characterized by the spirit of compromise, is not “an age on ages telling” when “to be living is sublime.” A third method of settling a dispute, a method hard to practice and even hard to define, the method which arbitration ultimately represents and reinforces, is the method of finding some ground of positive agreement higher than the ground taken by either antagonist at the beginning of the strife. In every dispute between honest and intelligent disputants we find some show of justice in each of the conflicting claims. The method of war crushes the claim of one side, with all the good and bad there is in it, and gives victory to the other side with all its bad as well as good. The method of compromise takes the course which leads to peace, even though much of the good of either cause be sacrificed on the way. The method of arbitration would seem to be merely the method of compromise through the agency of a third party, but essentially it is more than this. For every well-conducted international arbitration contributes to the building up of a higher conception of international obligations, of world relations, and is accordingly in its effect a bringing of the disputants together on higher and more stable grounds than either of them occupied when the strife began. I think this view may be abundantly justified by examples from modern history. There is not time, however, for such illustration, and the bare and general statement must be left to command your confidence if it can without the aid of concrete illustration. The immediate question is that as to the relation of public schools to the type of thinking which lies back of arbitration procedure. It seems clear that this is the very type of thinking which is characteristic of modern education at its best. It is the type of thinking which should be promoted in schools of every grade, in the interest of liberal culture, rightly understood. It is by promoting such culture and establishing such modes of thought among our people everywhere that the public schools can lay the surest foundation for the arbitration principle.

The watchword of this movement may fairly be taken as the watchword of all modern education and we may phrase it in the words, *Let us look for a better way.* The spirit which it represents is at one with that of modern science, the science which is

undoubtedly the dominant influence in the methods of modern education. For this science, with all of its strength of conviction, holds its doctrines not as records of final attainment or the standards of a battle to the end, but rather as well laid steps of an ascent. It expects something better beyond, expects to rise above its present knowledge and belief, and in that expectation it is able to look upon any intelligent opposition as indicating the need of finding some higher principle which shall solve the present difference. Even in the lower schools, by ways that are often intangible, this spirit is making its way. It is not too much to hope that it will become broadly characteristic of the teaching of all of our schools, and when it has become so characteristic of that teaching, the principle of arbitration will be grounded in the educational consciousness of our whole people.

Before we leave this discussion, there are two added considerations to which attention should be called. The arbitration movement looks for its success to the cultivation of a decent respect for the opinions of mankind. In the heat of national anger it is too much to expect that any people will welcome from its opponent the suggestion that there are better grounds on which they may hope to meet. If, however, our people have been trained from their youth to recognize in every sharp difference of opinion the possibility of there being some higher and better ground of agreement, undiscovered as yet, there can not fail to be in time a little greater readiness to appeal to an impartial world, to peoples not involved in the dispute, and to respect the suggestion from without of a better way to an honorable peace. It is here that an increased understanding of other nations than our own may be expected to reinforce the teaching that leads men to hope for a better way. It is not simply that a knowledge of other nations, well taught in the schools, will lead us to consider more carefully the claims of an antagonist in time of trouble, but that it will prepare our people, or any people, to look with more favor upon an appeal to the judgment of the civilized world. In the second place, such an appeal to an impartial tribunal would be greatly strengthened in the minds of any people if that people were grounded in some of the elementary principles of human law. On other grounds than this, it is to be desired that the elementary principles of legal right should be more distinctly taught in our schools along with the principles of common morality. This is not the place to enlarge upon the topic suggested, which must be subordinate to the main discussion of this occasion. But it is not out of place to say that those great elementary principles of right and justice which have been the nourishing thought of many of the greatest minds of our race, are in themselves a most desirable element in the liberal culture of all our people. I can not but think that a people

trained to have respect for such principles as these will be so much the better prepared to accept, in time of controversy, the view that neither party to the dispute is in a position to judge fairly of the cause, but that the cause should be judged by a competent and regularly constituted tribunal having no selfish interest in the question at issue.

Briefly stated then, the contention of this paper is as follows: That the schools of our whole people may properly contribute to the movement for international arbitration only in ways that further the general purposes of education, but that positive improvements in education are called for to-day in ways that must inevitably reinforce the arbitration movement. Among these ways are endeavors to promote among a given people, as our own, a more intimate and appreciative knowledge of the character of other modern nations with whom this people has to do; the promotion in the schools of that type of thinking which readily passes beyond its partial convictions, no matter how earnestly held, to larger views in which opposing convictions may find their rightful recognition and come to agreement; the teaching in the schools, as a part of our instruction in morals and civil government, of some of the elementary principles of legal justice, which shall enable our people to adjust themselves freely and consciously to the reign of law in all great human affairs. The argument amounts to this, that our education of all the people shall be made at once more scientific and more humanistic, and that the schools shall teach the people in all their concerns to look for a better way.

Let it be added that education can not be expected to prepare specifically for the arbitration of any particular cause. When international irritation has arisen and there is threatening of war, the work of education for the time is under arrest. Not only the laws but the teachers as well are silent amid the clash of arms, or in the storm of wrath which threatens a clash of arms. Our hope is that education may exercise an influence far in advance of the crisis, which shall turn men to some international tribunal before the irritation has arisen to violent anger from which there is no appeal. Education can do very little to allay the wrath of nations, but it can do much to hold the nations back from uncontrollable wrath while the question is still new and in the balance. The schools can not prepare to-day for the crisis of this year. They are to prepare to-day for the crisis of ten years hence or a generation hence. But this of itself may be a work of inconceivable significance. And the way in which so great a result may be compassed is the way of making familiar and natural to a whole people, and to possible antagonistic peoples, a mode and habit of thought, a moral devotion

to conceptions of justice and righteousness which shall give to the advocates of arbitration their chance to be heard and understood. (Applause.)

THE CHAIRMAN: We are now to pass from discussion of how this movement may be furthered in the schools to discussion of how it may be and is being furthered in the colleges and universities. We will first hear the report of the Standing Committee on this subject, which will be presented by PRESIDENT L. CLARK SEELYE of Smith College.

REMARKS OF L. CLARK SEELYE, D.D., LL.D.

Ladies and Gentlemen: I regret exceedingly that President Gilman is not here to-day to give the report which he has formed and which he has asked me to read. Some of you may remember two years ago at the suggestion of Dr. Gilman a committee was appointed to present the subject of international arbitration to our colleges and universities. Dr. Gilman should by right have been chairman of that committee, but he requested that in the printed list other names should precede his, and in that list the committee are named in the following order: Seth Low, Andrew D. White, James B. Angell, Daniel C. Gilman, E. A. Alderman, L. Clark Seelye, Benjamin Ide Wheeler. The gentlemen whose names precede Dr. Gilman's insisted that he should act in the capacity of chairman, and under his leadership the committee has done its work; and yet it is but fair and just to say that most of their work has been done by the efficient Secretary of the Conference, provided for us by the generosity of Mr. Smiley. He has conducted the correspondence; he has written to the various colleges and universities of the country; he has stimulated the committee in its work by friendly admonitions; and he has tried from time to time to arrange meetings for them. But they have had such confidence in his sagacity that they have based their report mainly upon the statistics which he has given. The report which Dr. Gilman has prepared, and which the other members of the committee approve, I have been asked to read, and is as follows:

REPORT OF COMMITTEE ON WORK AMONG COLLEGES AND UNIVERSITIES.

Your Committee report that during the past year there have been gratifying evidences of interest on the part of colleges and universities. Not only did many of the institutions that took special action the preceding year take similar or more advanced action, but favorable responses have been received from thirty-five (35) other institutions making a total of one hundred and forty (140) colleges and universities that have in one way or another taken definite action in response to the appeal of the Committee through the permanent office of the Conference.

Without attempting to distinguish between the action of the year 1905-6 and that of 1906-7, it may be stated that during the two years thirty-six (36) or more institutions have held special meetings for the promotion of international arbitration. Twenty (20) have brought the subject forward in public debate. Nine (9) have established prizes (all but one of them permanent) for the best essays or debates on the subject. One (1) has established a special course of lectures on international law with particular reference to the importance of arbitration. One (1) has established a chair of peace and public service. Two (2) have formed intercollegiate peace associations which have brought into the movement numbers of institutions not included in this report. Seventy-five (75) have taken some action, not included in any of the above classes, ranging from added mention in the class room to addresses to the students by members of the faculty and by outside speakers as a part of the regular college work. It is encouraging to note that many institutions have brought the subject forward in two or more ways — for instance by a special public meeting and later by a student debate.

An especially hopeful sign is the interest manifested in the movement by private individuals. A member of this conference, Mr. Eugene Levering, has recently offered the Committee \$250 for the furtherance of its work which sum he would be glad to see expended under the general oversight of Professor W. W. Willoughby of Johns Hopkins University. The Committee recommend that the sum be accepted and placed in the hands of the Treasurer of the Conference as a special fund subject to withdrawal under the direction of the Committee acting through Mr. Willoughby. It is also worthy of note that of the eight permanent prizes before mentioned at least four are the gifts of members of this conference.

The Committee emphasize the importance that all of its members present hold a meeting before the adjournment of the present Conference and before leaving Mohonk. It recommends that to avoid delay incident to the scattered residences of the members, as much authority as possible be conferred on the Chairman or on one or two of the members in the East and in easy communication with Mohonk. And inasmuch as the work of correspondence devolves on the Mohonk office, the Committee think it well that as much freedom of action as may be considered practicable be conferred on that office.

In submitting to the conference our report, I may say in addition to the statements which are made by Dr. Gilman, that many responses have been received from colleges and universities, which are not included in the number mentioned. From every college and university to which communications were sent favorable responses were received, except in one instance, and that came from the United States Naval Academy at Annapolis, which, perhaps by an instinct of self-preservation, thought it not fitting to co-operate with an International Arbitration Conference at Lake Mohonk, but assigned as the reason for not co-operating lack of time to bring the subject before the naval cadets.

I may also say, that in the colleges and universities this movement finds a congenial atmosphere. In them the ideal of this Conference has been to some extent already realized. The disputes of scholars to-day are settled by an appeal to reason, and not by brute force. It was, I believe, a saying of Erasmus

that "the followers of the Muses have but one fatherland." There are no national divisions and animosities which now separate men of science and men of learning. They receive with avidity and without compulsion what the nations have to teach. Scholarship is to-day international,—as was said this morning,—and the aim of scholars is to learn whatever facts or truth worth knowing anybody has to impart. Even in that contest where difference of opinion seems to be most marked,—to which allusion was made this morning,—the spelling reform,—there is no thought of going to war to determine whether the alphabetical sovereignty of the preposition "through" should be restricted to four or seven letters. And on athletic fields, where the contest is most fierce, students are ready to submit to the decision of an umpire as to whether the play is fair or foul; and they can see no reason why a permanent umpire should not be created at The Hague to determine whether the playing and fighting of the nations is fair or foul, and why the nations should not submit to such a decision.

I sympathize with what the first speaker said this morning that international arbitration is not to be promoted in our schools and colleges by making it a mechanical or fixed part of the curriculum. I think interest in it is to come, if it come at all, as the result of agencies which will elicit the free thought and free sentiment of the students. The Chairman, however, warns me that I am within one minute of closing, and therefore, before my time is exhausted, I wish to present two resolutions which will carry out the suggestions made in this report. The first resolution is:

"Resolved, That the Lake Mohonk Conference on International Arbitration gratefully accepts the \$250 offered by Mr. Eugene Levering, for the purpose of promoting interest in International Arbitration among the universities and colleges, and that this sum be placed in the hands of the Treasurer of the Conference, and be expended under the direction of Prof. W. W. Willoughby of Johns Hopkins University, or any one whom this Conference may appoint as his successor."

The other resolution is:

"Resolved, That the special committee appointed at the Lake Mohonk Conference in 1905 to bring the subject of International Arbitration to the attention of universities and colleges be discontinued as no longer necessary, and that the Intercollegiate Association for the same purpose be requested henceforth to prosecute this work, with the cooperation of the permanent Secretary of the Lake Mohonk Conference."

I present this last resolution in view of the fact that Dr. Gilman and some other members have declined to serve as chairman of this committee, and in view of the fact that it has been impossible, owing to the work in which the members of this

committee have been engaged and their separation from one another, to bring the committee together for conference.

THE CHAIRMAN: The report of the Special Committee is received and the recommendations and resolutions accompanying same will be referred to the Business Committee.

At a later session of the Conference the Business Committee referred back to the Conference the two resolutions. The first was unanimously adopted. The second was withdrawn and the following substituted:

“Resolved, That the special committee appointed in 1905 to bring the subject of International Arbitration to the attention of the colleges and universities be continued as heretofore, with power to fill vacancies and to add to its number.”

In the above form the resolution was adopted.

THE CHAIRMAN: We are now to hear something of the progress already made by the higher institutions of learning in furthering the cause of this Conference. I present MR. JOHN BASSETT MOORE, Professor of International Law at Columbia University, who has been very active along these lines.

ADDRESS OF JOHN BASSETT MOORE, LL.D.

In the terms in which the subject of discussion at the present session of this conference is stated, namely, the relation of colleges and universities to the arbitration movement, there is an implied recognition of the fact that the movement is in a large sense an educational one. To this element of the problem sufficient consideration has not, I think, been given; but there are signs that its importance is beginning to be appreciated. Certain it is that at the Lake Mohonk Conference on International Arbitration there have within the past two years been adopted two practical measures having a distinctively educational object. One of these was the formation of the American Society of International Law, which was started on its career at Lake Mohonk just two years ago. The other was the adoption at the same session of the resolution offered by President Daniel C. Gilman, looking to the study of international arbitration in our colleges and universities.

By this resolution it was suggested to the universities and colleges of the United States that “concerted efforts” should be put forth “to secure among undergraduates early and careful consideration of the principles of international arbitration”; that a most appropriate day for students’ meetings was the 22d of February, especially in view of the fact that

it was Washington who, as President, laid the foundation of the practice of arbitration which has distinguished the foreign policy of the United States; that, if it should in some places be more convenient, observance might be made of the 18th of May, which is the anniversary of the opening of the first Hague Conference; and that the arrangement or conduct of the meetings should be committed, as far as practicable, to the undergraduates, who might engage in debates among themselves or secure addresses or courses of lectures from those who could speak with authority on the subject.

Under the promptings of this resolution, numerous meetings were held at universities and colleges on the 22d of February, 1906; and it is a noteworthy circumstance, as the East is often supposed to be more peaceful than the West, that most of these meetings were held at Western institutions. Perhaps the most elaborate celebration was that which took place at the University of California. It was held in the Greek Theatre, at Berkeley, and more than twelve hundred persons were present. Meetings were also held at the Leland Stanford Junior University; at the University of Southern California and at the Occidental College, both at Los Angeles; at Pomona College, Claremont, California; at the University of Oregon, Eugene; at the University of Washington, Seattle; at the University of Wyoming, Laramie; at the Nevada State University, Reno; at the University of Idaho, Moscow; at the University of Utah, Salt Lake City; at the University of Colorado, Boulder; at Colorado College, Colorado Springs; at the New Mexico College of Agriculture and Mechanic Arts at Mesilla Park; and at the Agriculture College of Utah, Logan.

At Columbia University, in New York, a meeting was held on the 21st of February, 1906, at which addresses were made, and at which a resolution was adopted looking to concerted action among undergraduate bodies. By this resolution it was provided that a committee of undergraduates should be appointed, with power to add to its number, for the purpose of forming at Columbia an organization to promote, either independently or in co-operation with the representatives of other institutions of learning, the design of the resolution adopted at Lake Mohonk Conference, June 2, 1905, looking to the consideration of the principles of international arbitration by the undergraduates of American universities and colleges. A committee was appointed, but before any definite action could be taken by it, two societies were started elsewhere with objects in view similar to those with which the committee was charged. One of these was called the "Intercollegiate Peace Association," which was organized at Goshen College, Goshen, Indiana, in June, 1905, and held its second meeting at

Earlham College, Richmond, Indiana, on April 13 and 14, 1906; the other is the "Intercollegiate Peace Association of the Middle West." Both these associations, as I am informed, received their original impulse from the resolutions adopted at Lake Mohonk in 1905.

Notwithstanding the formation of these societies, it still seemed to the Columbia committee to be desirable to continue to act on the lines of the resolution of February 21, 1906, with a view to the founding of a strong national organization, among universities and colleges, particularly to promote the study of international questions. Advantage was therefore taken of the presence of delegates from all parts of the country at the recent National Arbitration and Peace Congress, at New York, to hold a meeting at Columbia University, for the purpose of forming such an organization. The meeting was attended by delegates from various universities and colleges, including representatives of the Intercollegiate Peace Association of the Middle West; and a resolution was adopted, under which a committee was appointed "for the purpose of forming an intercollegiate organization to promote the study and discussion of international affairs, with a view to the dissemination of correct information, the removal of misunderstandings, and the amicable settlement of international disputes on the basis of law and justice."

The committee appointed under this resolution is now considering what further steps shall be taken. The resolution, it will be observed, looks to the establishment of an organization which shall be primarily educational. It recognizes the fact that, of all the causes of international strife, none is more fruitful than misunderstandings born of prejudice and misrepresentation.

Several years ago it was said that Germany was endeavoring to seize territory in South America. The statement was coupled with the further statement that the German government had negotiated with the Brazilian government a treaty under which German immigrants in Brazil were to be subject to the jurisdiction of the German consuls. On inquiring into the facts, I found that the German emigration to Brazil had never been encouraged by the German government; that no arrangement had ever been made concerning it; and that in recent years the German government had actively discouraged it, and that it had lately been declining rather than increasing.

Then, not long afterwards, we seemed to be on the verge of a collision with Germany, because of her proceedings in conjunction with Great Britain in regard to Venezuela. It was alleged that the German movement was simply a cover

for a design to seize Venezuelan territory and violate the Monroe Doctrine. The circumstance seemed to be altogether lost sight of that, fully a year before the German government, in conjunction with that of Great Britain, sent its fleets into Venezuelan water, it gave to the United States an explicit assurance that it had no design to take territory and would not take any; and this assurance was in the hands of our government during all the time when we labored under so much anxiety lest Germany might seize and hold territory in South America. It is only proper to say that misrepresentations in such matters are not always intentional, and it is therefore all the more important that everything should be done that can be done in the direction of disseminating correct information. It is the common experience of students of history in our universities and colleges that their later studies are largely devoted to ridding their minds of erroneous prepossessions created by their earlier instruction. Many of our so-called "school histories" are little more than historical travesties, the inevitable effect of which, whether intended or unintended, is to keep alive national animosities. Not long ago I opened at random a so-called history of the United States, at the place where the administrations of General Jackson, as president, were narrated. The volume was written professedly for the use of children; and, perhaps in order to kindle the youthful interest, Jackson was depicted as a man governed by a desire to wreak upon the British people revenge for his ill-treatment by British troops on a certain occasion when he was a boy. The story was well calculated to arouse a child's resentment; but the fact, of which the learned historian may indeed have been ignorant, is that no American President ever treated Great Britain with a more uniform and considerate courtesy, or dealt with the British Government in a more conciliatory spirit, than did President Andrew Jackson. I may also remark that the only history of our war with Great Britain of 1812 which fairly presents both sides of the conflict is that which was lately written by a distinguished naval officer and historian, Captain Mahan.

If we would have peace, we must remove the causes of war; and first of all we must dissipate unfounded passions and prejudices by means of enlightened discussion and correct information. Our universities and colleges are now performing a great work in this direction; but I desire to submit the question whether still more might not be accomplished, if, under the auspices of a national intercollegiate association, a society were formed, either independently or in conjunction with some existing local organization, at each university and college, for the purpose of cultivating an interest in inter-

national affairs and of diffusing correct information concerning them. The opinions and suggestions of eminent authorities on education, who are present here to-day, on this question, would no doubt be as valuable as they would be interesting. (Applause.)

THE CHAIRMAN: The discussion will be proceeded with by the President of the Western Reserve University, Cleveland, DR. CHARLES F. THWING.

ADDRESS OF CHARLES F. THWING, D.D., LL.D.

What can college men do, especially undergraduates, for the furtherance of the international arbitration movement? To this question I wish to give two simple answers.

The college is ordained to train men and to discover and to publish truth. *In training men* the college promotes the cause of International Arbitration.

For, certain elements of character which the college disciplines hold most intimate relationships to the great cause of arbitration.

One characteristic mark of the college educated man is self-restraint. Self-restraint is a function of the will. It represents calmness when one is tempted to be impetuous; humility when one is tempted to be arrogant; reticence when the provocation is to speak. But self-restraint is more than a function of the will. It stands for the simplicity, quietness and soberness of the gentleman. It is remote from bumptiousness, extravagance, and what in both metaphor and fact is called loudness. Such a quality the college trains. Every study enhances its value. The study of languages trains it through the discrimination which they represent. Mathematics trains the quality by its lessons of absolute truth and man's consequent humility. The sciences also train it by their teachings of the breadth and diversity of natural phenomena and by the apparent limitations of man's knowledge. History trains this element by its examples of nations and of men who have perished through the foolish expenditure of all human forces. Literature and Economics also train it through the gentle humanizing influence of the one, and through reflection upon social phenomena of the other, subject. Philosophy, also, develops self-restraint in the individual, through the search for truth in man and in all knowledge. Self-restraint, however, is never to become atrophy, or self-negation. It represents repression at one point, in order to gain force in another. It is the dam built to give great power to the pent-up stream. It is the jumper going back in order to leap a longer length. The man of self-restraint is the man

who best can arbitrate. The college, therefore, by training men of self-restraint, is helping forward the cause of arbitration.

A second characteristic of the educated man is a comprehensiveness of intellectual vision and understanding. The educated man knows that truth is not a straight line of two sides; it is a polygon,—it is a circle,—it has an infinite number of sides. College trains a man to the largest vision and understanding of which he is capable. The association of fellows with each other is one source of such training. Men of diverse origin—geographic, domestic, pecuniary, and social—mingle. The angle of the vision of truth and of duty varies. What to one is true seems to another false; to one expedient, to another necessary; to one morally wrong, to another morally right. Associations, intimate and prolonged, with men of diverse origin, give to the student a comprehensiveness of intellectual understanding and outlook. Largeness of view is not, however, to be bought by hazy indefiniteness of interpretation. If comprehensiveness be large in outlook, it is still to be clear in articulation. Certain studies specially promote such intellectual comprehensiveness. This is one of the superb results of the study of history. If history be interpreted as a record of events, the bare record disciplines intellectual breadth. If history be understood as an interpretation of certain relations, causes and results, it trains the highest forces of mind. The man of comprehensive mind is the man who declines to accept his own judgment as the only judgment, or his own interpretation as the only interpretation. He knows there are other judgments and other interpretations. Such learning represents intellectual comprehensiveness. Comprehensiveness and breadth of understanding promote arbitration.

An example of those two qualities of self-restraint and of intellectual comprehensiveness was found in John Hay. By nature there was in him a certain impetuosity. The training given him at Brown by Lincoln, Harkness and Angell, trained in him calmness, judiciousness. The same training of the same men opened his eyes to largest visions.

The college, therefore, training men of self-restraint and of comprehensiveness, promotes our great cause of international arbitration. (Applause.)

THE CHAIRMAN: As the next speaker, I present DR. RUSH RHEES, President of the University of Rochester.

ADDRESS OF RUSH RHEES, D.D., LL.D.

Mr. President, Ladies and Gentlemen: The question that has been put to those who represent the colleges here has been so clearly and attractively set forth by President Thwing that I shall not undertake to discuss it in its general aspect, but rather shall proceed immediately to consider one or two particular ways in which it has occurred to me that the colleges may contribute to the advancement of the cause of arbitration. It is quite obvious that a contribution may be made by instruction concerning arbitration, its history, its progress, its ideals and its methods. But I believe that this instruction may be made most effective if it is put as a corollary to another feature in college education. In what I have to say permit me to lay emphasis upon the opportunity of the college to cultivate in the minds of its students on the one hand a sentiment, and on the other hand a habit. I should say, Mr. President, that I speak distinctly as the representative of the small college, whose curriculum offering is necessarily restricted and whose object is specifically that which has been set forth by President Thwing—the culture of manhood for life. The sentiment which we may more perfectly cultivate is the sentiment of justice; and more perfect culture might be secured, I believe, if the college would offer to its students instruction in the principles of law and the methods of judicial procedure. The object of such instruction would not be in any wise to prepare students for the practice of law nor to shorten the time necessary for liberal culture and professional training, but distinctly and specifically to secure culture of such comprehensiveness and self-restraint as President Thwing has shown to be the object of college training. It is true that our study of ethics lays much stress upon the idea of justice; but it seems to me we need to give our students the opportunity, and an invitation to avail themselves of the opportunity, to study the ways in which the idea of justice has taken formal expression in the history of men. Few subjects are as valuable for the larger development of the minds of our students as a genuine study of the Roman law, that to be supplemented by some study of the development of the common law of England; in order that the young people of our generation may have, not a casual and superficial acquaintance with the ideals and the procedure of the law, but an intelligent understanding of those ideals and methods of procedure. There will be cultivated in them thus a more definite and well ordered conception of justice and its processes than can be gotten from any simply ethical or simply philosophical study. If then we could add some sur-

vey of international law, the development of that sense of international justice, to which reference was made in the President's address of yesterday morning, I think our students would have cultivated in them a respect for the ideal of justice in the ordering of the relations of men with men, which inevitably would lead to an instinctive respect for the idea of justice in the ordering of the relations of nations with nations. If they are led through such studies of law to understand and appreciate the methods for the securing of justice which have been developed in the history of man's relation with man, they may be led naturally to the judgment that in all the strifes into which their lives may lead them, they should turn to judicial and rational rather than forcible methods of adjudication.

I think further a college should cultivate not only the sentiment of justice, but the habit of its practice. Reference has been made to the advantage college students have in the custom of submitting disputes in sport to an umpire, and the gratifying result to all concerned. None of you who have observed the development of athletics within the last decade or two will fail to recognize this. In athletics we frequently find human instinct expressed as a fighting instinct—to quote President Butler's words of yesterday morning. There is all the intense loyalty to a cause, loved with essentially patriotic ardor. There is the desire by every possible means, within the range of the umpire's permission, to advance the cause to which students are devoted. There is the development of the hero and the glamour of the hero's victory. But I think we must acknowledge that the development of the umpire has not yet brought us, as college communities, to an adequate sense of justice as an ideal. Athletics I believe in. All that will stir the young blood and bring forth the hero and encourage and justify the shouting seems worthy. But a college owes it to itself to cultivate within its students that sense of justice which will make the umpire relatively unnecessary in their sports; exactly as gentlemen in their relations with one another rarely, if ever, think of the laws or the force that is behind them in the ordering of their lives. To that athletic eminence we have not yet attained. There is another way in which the college may cultivate both the sense of justice and the habit of judicial procedure; it is by the extension, so far as possible, of the honor system in the ordering of college life; not at all because it would be a very great relief to faculties to pass over the question of government to the students, but because I can think of no other school in which young men would be so adequately trained to cultivate self-restraint and the subjection of their interests to the idea of justice as by assuming for themselves responsibility for

the ordering of the correct life of the college community in matters of examination and in all those relations which ordinarily are made subjects of discipline. Now these things I urge definitely in the interests of culture, that is, that enlargement of the man which will fit him for citizenship; and I am confident that if young men are trained in the habit of turning first under all circumstances to the question whether a course of conduct is right, with a habit of unprejudiced inquiry as to what are the just considerations on both sides of the dispute, we may expect that those men as citizens will become a leaven in the lump of our public life which will inevitably result in the growth of a public sentiment that will demand that justice, by fair and orderly procedure, be the method for the settlement of all differences of opinion between the nations made up of those wise and cultivated citizens. (Applause.)

THE CHAIRMAN: We are next to hear from DR. E. D. WARFIELD, President of Lafayette College, Easton, Pa.

ADDRESS OF E. D. WARFIELD, D.D., LL.D.

It has been said: "Who shall speak after the king?" and if one hesitates to speak after the king, how shall I venture to follow such an array of presidents? For one who occupies a position in the foot-hills of the "Presidential Range," it is indeed a difficult task.

The college I represent stands for that attitude of mind which is fundamental to our cause. It was founded by Scotch-Irish Presbyterians in a Pennsylvania German community and named for a Roman Catholic Frenchman. Could we have a better example of freedom from race prejudice and the *odium Theologicum*. It has, in loyalty to the spirit of its founders, taken its part in the propagation of enlightened views in respect to international law. The subject of international arbitration is annually presented with cordial commendation to the students pursuing the course in international law. The subject for debate in the "Senior Debate" this year was "*Resolved*, That the increase of naval armaments is an unnecessary burden and a menace to the peace of the world," and the debater who argued that the increase of armaments should be checked by more frequent resort to arbitration won the first prize. And the College has just secured the endowment of a lectureship for the discussion of such questions as come before this Conference. You will pardon these personal references. I have made them in the belief that the Conference is especially interested in reports of definite work.

Upon the general topic I wish to present two thoughts.

First, we must replace the glorification of war by substituting something which has as high a claim upon the enthusiasm of youth. There is a charm in the heroic which goes to the very basis of life and which is one of the essentials of patriotism. And in the history of our race the heroes have in large measure been figures amid the moving scenes of war. We can never forget the part that Alfred the Great played at Ashdown, that John Hampden was stricken down on Chalgrove's bloody field, that George Washington led the armies of the Republic to the crowning day of Yorktown, and that Abraham Lincoln brought liberty to light from out the gloom and darkness of a dreadful war. Yet we are happy in the thought that not one of these men sought war, and that the virtues for which they are loved and revered are the virtues of peace. The question is: how shall we interpret our history so as to show that the heroism of these men was the heroism which counts no sacrifice too great to make for a beloved cause; that the pity of it is that they were only "made perfect through suffering"; and the lesson of it is to strive through a like renunciation of self-interest and personal gratification to save mankind from like ordeals. They were victims as well as victors. They conquered in vain if men through endless ages go on forging weapons of physical force and fetters for the feeble and unfortunate.

It has been said here to-day that we must "subordinate force to law," and it is true. But must we not go a step farther? Must we not transform force by love? We see how man has mastered the forces of Nature. Subordinated to law, steam now sends countless trains over the bands of shining steel with which we have bound our beautiful country section to section; yoked by the same subordination to law, the electric current does the bidding of the mind of man; even the mysterious movements of the subtler ether speak for us in the "Marconigram." But not merely have these things been given law, they have become the evangelists of the good tidings of our Christian civilization, and do the work of help and healing everywhere.

Let the same spirit pass over our history in our schools and colleges. Let the old story find a nobler interpretation. This is the work of the teacher, the impulse that the great teacher can give and should give. In my own *alma mater* in the time of our Revolutionary struggle a true patriot was president. He sat in the Congress of the nation, but found time so to impart the spirit of his patriotism to his students that that little college sent nine of its graduates to cement the bonds of union and fix the forms of civic fraternity in the Constitutional Convention.

In the second place, let me urge that the true hatefulness of war is not to be found in the blood-stained field, the wrecked home and the devastated land, but in that hatred which begets strife and all the horrid host that follow in its track. Hence it becomes us so to train our youth as to remove race prejudice and everything which prevents us from truly exemplifying in our lives our faith in that brotherhood of man which is rooted in the fatherhood of God.

There is no more practical question before us to-day than this, and in the great popularity of courses in all departments of history and the science of government our colleges have here a great opportunity. History is "philosophy teaching by examples." In the great movements as well as the great men we see the nobility of that most lofty virtue, justice. Something more than fair dealing, it rises as we view it as the great negation of self-interest, self-seeking and selfishness, to the plane of the Golden Rule, until we can appreciate the inspiration which these conferences have found in promoting *International Justice*.

Ignorance is in great measure the cause of international misunderstandings and race prejudice, but selfishness is its close ally. We must subordinate force to law and teach the grasping nation that it must restrain its greed. But let us also teach the growing generations to transform force by love so that in the future nations shall learn to help each other gladly because mutual helpfulness is the law of the highest life. (Applause.)

THE CHAIRMAN: The next speaker is the Professor of Political Science in the Johns Hopkins University, PROFESSOR W. W. WILLOUGHBY.

ADDRESS OF W. W. WILLOUGHBY, Ph.D.

Mr. Chairman, Ladies and Gentlemen of the Conference: President Warfield has, unjustly to himself, described himself as occupying the presidential foothills. We now enter upon the plain of the professor, with but a few student strata beneath us. In this movement, as in so many other movements, it seems to me that what we can do is more by indirect than by direct efforts. We are somewhat like persons with light oars attempting to impel a rather heavy barge upon a river, rowing with the stream toward an ocean that we hope will be pacific. Our effort must be by way of auxiliary effort, in the way of keeping our craft in the center of the stream and at times accelerating its motion, for the irresistible force that is to take us to the object which we strive to reach is the general advance of civilization and

enlightenment. Counting progress by generations, rather than by years, the greatest and most permanent advances toward international peace will come as a result from the spread of a sound scientific knowledge of the nature and problems of political life, coupled, of course, with a steady increase in intellectual and ethical culture generally.

Mr. Lecky, in his *History of European Rationalism*, makes the observation that disbelief in witches and the cessation of religious persecution have been brought about not by direct argument, but because what he calls the modern intellectual climate has not been favorable to their continued existence—that the moral and scientific thought of to-day create an atmosphere that is fatal to them. In the same way, I think, we may confidently believe that with increase in knowledge will come a broadening in sympathy and a corresponding decrease of false and chauvinistic nationalism, which will render increasingly less likely a resort to force for the settlement of disputes between nations. Two of the elements of this increasing enlightenment which will especially tend towards peace will be: (1) the better knowledge on the part of the people of each nation of the peculiar qualities and legitimate national aspirations of the peoples of other States; and (2) a clearer general conception of the rights and duties of nations looked at from the strict and technical viewpoint of International Law. At the recent banquet of the American Society of International Law, Secretary of State Root introduced the English Ambassador, Mr. James Bryce, as one who possibly more than any other individual had been instrumental in rendering less likely in the future war between the two great branches of the English-speaking race. This he had done in his great work, *The American Commonwealth*, by which he had done so much to make the English understand their American kinsmen. Properly to be associated in this connection with those who have explained the institutions and national life and character of one State to the peoples of other States are those writers on international jurisprudence who aid in rendering definite and therefore knowable, the rights and duties of nations in their dealings with one another.

The establishment of the American Society of International Law, and of the American Political Science Association, each with its annual meetings, its journal, and its volumes of proceedings sent to all its members, and the general establishment in our universities and colleges of special chairs of political science, are therefore of good omen, for with the spread of sound knowledge in matters political is sure to come that increasing understanding which will show the needlessness of war between nations.

I have little faith in the attempt to create student interest by lecturing upon the moral and political advantages of a World-State or of a world federation of States in which war between its members shall not be waged. Nor do I think that much is to be gained by impressing upon students in spoken or written word, however eloquent, the immorality and desolating character of armed strife between civilized peoples. But I do have great faith in the good results to be reached by calling to the attention of our educated young men who are about to enter active life, the immediately practical features of the great movement for peace, for the advancement of which this Conference is held. If possible, no student should be allowed to leave our institutions of higher learning without having had his attention directly called to the great results that have already been obtained in the peaceable adjustment of conflicting international interests, and to the further steps that it is practicable to take in the immediate future. The American college student is not aggressively and actively a moral being, but he is a practical, and, to a certain extent, a rational being. He does not need to be told that war is a hideous evil; but he does need to know that, in very many cases at least, it is an unnecessary evil, and that there are practical means—means that have already stood the test of application—by which this evil may be greatly reduced in extent and intensity. If, therefore, these incontrovertible facts can be, in some way, called to his attention, and the practicability of these means for avoiding war made plain to him, he will be convinced, and carry that conviction with him as a working principle into the life which he is entering.

The two means to this end that seem to me efficient are:

- 1st. That college and university instructors in Political Science should agree to present these facts to their classes at least once during each year.
- 2d. That, under the direction of this Conference, there be prepared and sent to all college students an attractively printed pamphlet stating clearly and briefly the three elements of the problem—the prevention of disputes between nations, the peaceable adjustment of such disputes as do arise, and the mitigation of the severity of war, when, unhappily, it is begun—and pointing out what has been accomplished in recent years, what treaties of arbitration have been entered into, what disputes settled, what additional steps for the peaceable adjustment of international differences may be urged as immediately practicable propositions.

In this pamphlet should also be stated what organizations exist here and abroad, for the promotion of international peace and arbitration; and the sources whence additional information upon the subject may be obtained.

By way of conclusion, then, I would answer the question as to how colleges and universities may best promote international arbitration and allied movements, by urging first, as a direct means, that no student be allowed to leave their halls without

knowing the facts and practicable possibilities of international arbitration; and, secondly, as an indirect, but most powerful means, the provision of special chairs, or at least of special courses dealing generally with the science of political relations, national and international. (Applause.)

THE CHAIRMAN: We will next hear from MR. JOSEPH H. BEALE, Professor of Law in Harvard University.

ADDRESS OF PROFESSOR JOSEPH H. BEALE.

Mr. President, Mr. Smiley, Ladies and Gentlemen: I was asked to suggest certain practical ways in which interest in international arbitration and the advancement of peace might be aroused in college and university students. I think it is fortunate that the subject was presented to me in that way, because everything else that could be said on the general subject of university education has been said by those who preceded me much better than I could say it. But there are a few things I should like to suggest as methods of interesting the student body.

As my friend, Professor Willoughby, has said, the student body, at least as I know it, is not primarily interested in didactic efforts. They do not care to be told what is moral; they either know it themselves before being told, or they think they do, and it has the same effect on them. But the way to reach them is to give them food for their own thought, and from what is presented to them of past historical and economical fact to give them a chance to conclude by their reasoning powers that universal peace is practicable, that it is coming, and that it is going to be of benefit to the world. Now there is no student in any university who is worth reaching at all who will not draw these conclusions if he gets the facts; and we do not care to waste time in talking didactics to students who are not worth convincing when they are convinced.

These facts are best presented to students as part of the material taught in the regular courses. Even if a university can afford to give special courses of instruction on the topics which have a bearing on international peace, that would not in my opinion be the best way of reaching the result that we desire; because such a course or such courses would necessarily be small elective courses, taken by comparatively few men, and those only the specialists in the subjects in which the courses were presented. The great bulk of college students have come in the last generation to be young men who are going into commercial life, not young men who are going to continue students and specialists. It is not that there are less persons going into teaching or the other "learned" professions, but among the best of the men who

are eventually going into business life there has come to be a general habit of getting a college education. Those are the men we desire to reach first of all; next, the young men who are going into what are called the learned professions, including of course teaching. Such men must be reached by introducing into the general courses of instruction some sort of training in the historical and economical facts on which our belief in the coming of universal peace is based. I have prepared one or two charts to indicate how in such courses certain facts may be put before the students in a way that will interest them and lead them to think.

The first subject in which we get our pertinent facts is Constitutional History; the history of the formation of government. Now of course in all sorts of ways questions arise in that kind of a course which bear on our problem. I shall present here as an example a comparison of the growth of the American Union with the growth, or possible growth, of an organization of nations for the advancement of peaceable means of settling disputes.

Take successively the three ordinarily recognized departments of government: first, the executive. The history of the American Union shows that in the Congress of 1775 all the executive power that was exercised was exercised through appointed boards or committees of the Congress. By the Articles of Confederation, which followed in 1781, there was very little change; the executive work of the Confederation continued to be done by committees of the Congress. Under the Constitution there is of course the Executive Department headed by the President.

In international affairs we have reached the second stage. The congress of nations is really in existence with a certain kind of executive power, not a very high power, but very similar to the executive power in the Confederation—namely, the power delegated to one or two or three states by all the great powers to deal in an administrative way with an international problem.

In the Legislative Department there was first the Federal Congress, which had only power to advise the separate colonies. Under the Articles of Confederation this was succeeded by an absolute power to control the states in certain particulars; and under the Constitution by a fuller power, a complete power so far as the rights of the United States extend. And there is a similar growth in connection with the Congress of the world. I won't weary you with going through the whole thing, but it will appear on study that the second stage, the stage of American confederation under the Articles of Confederation in 1781, has pretty generally been reached in international affairs.

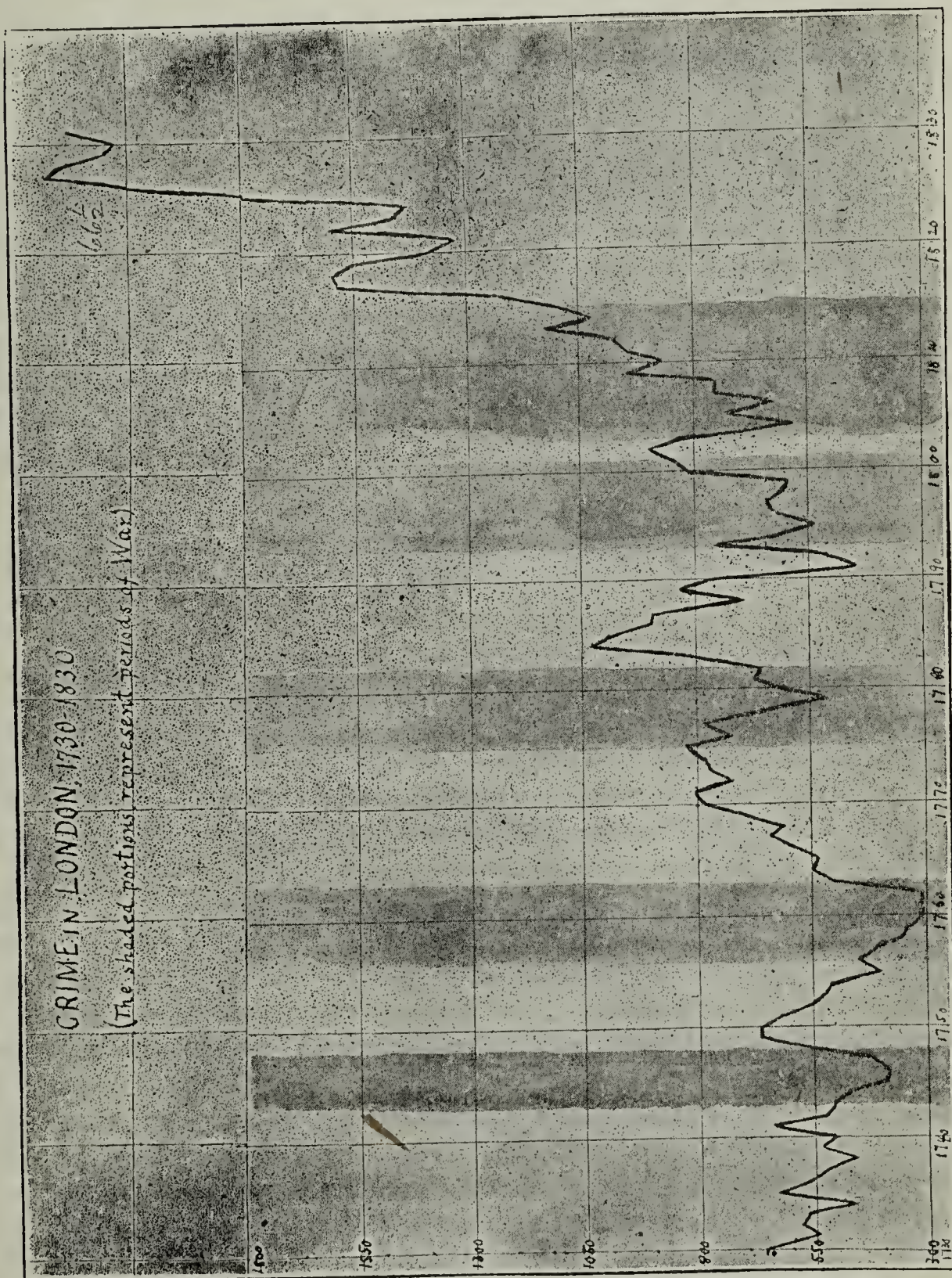
Then another line of study is that of the history of legal institutions. There also we have, as Professor Vinogradoff has

pointed out in a series of lectures which he is now delivering in this country, a very close analogy between the progress in settling individual disputes and the progress already made in settling disputes between nations. Individual disputes were settled first by the blood feud, the unrestricted private warfare that was in time limited by custom, just as the right of nations to settle their disputes by war was limited to a certain extent by what the medievalists called the "Law of Nature," that is, the general good custom of humanity. By a later development the blood feud was limited by actual rules laid down by the state, just as war has been limited by the Law of Nations. Then in the history of private disputes individuals came to have their disputes settled by arbiters appointed by agreement, as a result of the conception which gradually grew up that blood feud was wasteful and undesirable; that is, they came to refer their private disputes, by agreement among themselves, to certain persons chosen by them as umpires. That was the first step toward the settlement of disputes by courts—umpires appointed by the individual disputers. That is of course the stage of arbitration in international relations.

Next there were courts appointed by the state, but not obligatory on the parties. That is a stage not always recognized, but it is absolutely certain in the history of the reign of law that the earliest courts appointed were not courts to which persons were obliged to bring disputes; disputants had to accept, each for himself, by agreement, the decision of a court appointed by the state. We have just reached that stage in the Hague Tribunal. There only remains the final stage, under which, as the result of similar experience, the nation like the individual will be compelled by law enforced by executive power to accept judgment of the court. We have only this one step remaining to obtain full judicial settlement of disputes.

(Referring to chart, p. 85.) One other line of investigation is a study of the economical and social effect of war. As an example of such study, in my own work I have had occasion to study and teach the effect of war upon the commission of crimes in the state. This is a line showing the number of crimes committed in the city of London during the eighteenth and the first part of the nineteenth centuries. These strips here represent periods of war. You will notice that in every case at the beginning of war the number of crimes very rapidly diminishes. That is, the persons and the classes of persons who are in the habit of committing crime are apt to be drawn off into the war. That looks as if war were a good thing—it gets the criminals out of the way; but unfortunately those are not the men who are killed off at once, they remain in the camps and corrupt the other soldiers. But though invariably there is a decrease in the amount

of crime at the beginning of war, in every case there is a very great increase in crime at the end of war, and an increase which continues. This is the century of warfare in England (indicating). We start here with about 600 crimes a year, and go up



to 2,200, and almost the whole increase is due to the direct effect of war in stimulating crime. That is not true of this very high mark here; that is due to what I might call the secondary effect of war on stimulating crime; and that seems to me interesting and instructive. The generation after a war which comes pretty close to the people—a civil war or any war fought on or near

the people's soil—is a generation which is bound to feel the effect of the war in its mental condition, as appears in the increased tendency to criminality of what one might call the hysterical sort. Witchcraft followed a generation after the Civil War in England. An epidemic of lynching followed in the generation after the Civil War in this country. And so a generation after the Napoleonic wars came a time of hysterical crime, smashing of machines, turning out of agricultural laborers, and so on, in England.

These are simply suggestions as to the way in which the facts can be presented to the students in general courses, in order to put before them the economic and historic facts from which they can draw conclusions. What prevents it? Why is it not done now? It is done to a certain extent, why not more? A principal reason is that suggested by Professor Willoughby, the lack of books in which this matter is presented in a scholarly way which will reach the students; and the adoption of his suggestion as to the preparation of such books strikes me as all we need to secure the proper presentation of the subject to students. (Applause.)

THE CHAIRMAN: The next speaker is PROFESSOR ELBERT RUSSELL of Earlham College, Richmond, Indiana.

ADDRESS OF PROFESSOR ELBERT RUSSELL.

Mr. President, Mr. Smiley, Ladies and Gentlemen: We Americans, when we find a man doing some rather new thing, have a habit of making him quit work awhile so as to tell us about it. That is the only excuse I have for appearing on this program to-day.

I find myself in most hearty sympathy with the statements that have been made repeatedly this forenoon, that, after all, it is in the regular processes of education that the most effective work can be done in promoting the cause of peace and arbitration.

Yet the work we have been doing in the Intercollegiate Peace Association for the past year has suggested some means by which a more immediate interest may be stimulated and quicker results secured, and I wish to speak for a few minutes about the results of our experience and the lessons that seem to me to have been born from it. Of course it is a rather limited experience.

In the first place men are more important than an organization. It is comparatively easy in America at the present time to build up an organization. There is hardly a college in which you cannot find a number of students, not to speak of members of the faculty, who will be glad to serve as president, secretary, etc., of a new organization. But that is a very different thing from getting work done. It is far more important to find somebody in

each institution who will work up an interest in this cause, than it is to build up an organization.

Under the stimulus of a circular sent out by a committee of this Conference, we began a year ago to change an Intercollegiate Peace Association, that had been formed by colleges of certain denominations that have conscientious objections to war, into a larger movement; undertaking at first to limit it to colleges in Ohio and Indiana, because we did not have a secretary who could give his time to it. We had to refuse admission to some institutions in Illinois and Pennsylvania; but we expect to take care of them this year. We have thirty-six institutions which are members. The conditions of membership were these: that some member of the faculty in each school would take enough interest in the work to serve as vice-president of our organization, and act as a medium of communication and a center of interest in the institution. Now we have practically all college presidents as vice-presidents of our organization, representing us in their institutions.

There are some reasons for that. In the first place it was comparatively easy to get their names after we got started. College presidents, those of my acquaintance at least, are human enough not to want a long list of college presidents in their state published without their own names appearing in it. With the exception of some college presidents who had been in touch with this Conference and had thus had the fire communicated to them, we did not really expect them to do anything for us, because they are busy men and do not have the time necessary for the drudgery which this work requires; but with the college president as vice-president of our Association, the institution was open to us. These educators are all cordial to our work and, as far as I know, believe in the cause and are ready to aid in whatever way they can, if it does not take too much time.

Then we set to work to find some existing interest in the institutions upon which we could build. I do not think we can rely on student organizations to carry out this work; students do not get interested in world problems until near commencement time, and then they are soon out and gone. It seems to me it must be from outside influences that interest must be conveyed. We found such a center of interest in the department of public speaking. Every professor is eager to find some means of promoting the relative importance of his own department, if he be properly ambitious. We were able to secure a large number of prizes for essays and orations on peace subjects. We had such prizes offered in twenty-two of our thirty-six institutions; I have not the exact statistics, but something like one hundred young men and women wrote essays or orations upon the subject of international arbitration. We did not require they should advocate it, but

should write upon the general subject. Then we had an oratorical contest in connection with our annual convention, which was participated in by fourteen students who had been selected to represent their various institutions. They were all strong young men and had some orations that would compare favorably with peace oratory anywhere. As a condition of offering these prizes we stipulated, wherever we could, that the university or college should add a bibliography of peace literature to their libraries. We thought it not fair to ask the students to write on a subject if they could not get literature about it. So thirteen colleges added to their libraries a list of books selected by Dr. Trueblood of the American Peace Society. We are planning in the future to include the Chair of History in our efforts. We believe it very important to interest the professors of history in this work, so that in connection with courses of history they may give a pacific interpretation to history, as we have heard so ably set forth here. We believe it will be possible to interest instructors of history in our institutions in this work. We are proposing for next year to add to our working force in the Association a general secretary, somewhat after the method of the Young Men's and Young Women's Christian Associations, whose business it will be to stir up and help sustain local interest in the work. Wherever we cannot find a member of the faculty interested enough to work effectively among the students, we want to send the secretary to interest the faculty or to organize a student organization.

As I said, I do not believe we can begin with student organizations and have them carry on the work in a sufficiently effective way without having some outside influence. This must be a part of the work of education. I believe pretty thoroughly that, according to the old adage, the "young men are for war." Their natural disposition, their insight into history, their understanding of such matters as that makes them predisposed to the idea that war is a pretty good thing. Yet I believe that a knowledge of the facts of the arbitration movement and an interpretation of history from the pacific side, will convince them. All we need to do is to get the facts before them. But we must start with some existing student interest. Such immediate college interests as athletics will be effectively cared for by a student organization; but if we go outside these, the great world interests must come through the faculty or through some other more immediate interest of theirs, such as oratory or debating or prizes, in order to get them interested. I believe that every one who writes an oration on this subject comes out an advocate of arbitration. I am not so sure about debates. My experience has been that when a young man debates a certain side of a subject, he is very apt to be convinced, for years after that, that his side is right.

If you have a debate on this subject, the men who take the side of war will believe in it a good while afterward; they have seen the evidence on that side and they have espoused it so intensely. With maturer people I think it is different.

This covers the ground pretty thoroughly as I recall it. To sum up, it is an important thing to find in each college faculty, a man believing in this work, who will devote some time to it; professors of the departments of English or History or Public Speaking are the best men, because of their lines of work. One other item:—Some of the most effective work that has been done in our institutions has been done in the Ohio State University. There was a very liberal series of prizes offered there by the Committee on International Arbitration of the Columbus Board of Trade. The Chairman of the Board of Trade, on his own initiative, offered a prize in another university, also, in which he is interested. The professor of history, political science and international law said he had had more essays and more reading done on that subject since these prizes were offered and our society began work than he had ever had before. Here is a field in which boards of trade and business men may co-operate in educating the sentiment along this line. (Applause.)

THE CHAIRMAN: I am sure before we bring the session to a close, the Conference would be glad to hear upon this subject, however briefly, from the standpoint of an undergraduate, and I will ask MR. C. D. PUGSLEY, an undergraduate member of Harvard University, whether he will speak for five minutes.

REMARKS OF MR. C. D. PUGSLEY.

Mr. Chairman, Mr. Smiley, Ladies and Gentlemen: Two years ago this Conference inaugurated the peace movement among the colleges and universities of this country by appointing a special committee on colleges. The excellent work of that committee is well known to most of you, as is also the fact that they were instrumental in establishing peace societies in several colleges and in the formation of an Intercollegiate Peace Society in the Middle West, of which you have heard this morning.

The college man in the study of history realizes that the whole history of the human race is one of progress and development toward universal peace. In the early dawn of civilization men were still fighting out personal differences; but in time they learned that mere brute force could not settle the disputes of rational men, and so left their differences to be partially settled by arbitration. If individuals, who have so much more at stake and so much greater interests than

nations, have learned by experience that it is better to settle disputes by arbitration, the nations are destined, I believe, to follow the same policy. One of the most important agencies in bringing this about is the great advance of civilization and trade which is bringing the nations of the world into closer touch with one another. Fighting is the occupation of the savage and it is a survival of the savagery of the past in the civilization of the present. It is to the credit, I believe, of the American nation that every war it has ever waged has been for the relief of the oppressed and that it has only engaged in active warfare when all efforts at arbitration have failed. History will record as one of the greatest achievements of that great Harvard graduate, President Roosevelt, that he brought to an end the Russo-Japanese war; and yet, not satisfied with so great a service to the cause of peace, he proposed the coming Hague Conference. We may be sure America will lead the world to universal arbitration if we have a few more Presidents like Theodore Roosevelt.

College men, as I know them, full of the vigor and the enthusiasm of youth, with great ambitions as yet uncompromised by the sterner realities of life, would take up this movement with zeal and confidence. College ideals, I am told by men who are long-time graduates, exert an influence through life; and if one of the ideals of the college undergraduate is the peace of the world, I am sure the college graduate will do what he can to bring it about in after life. (Applause.)

THE CHAIRMAN: I feel confident I am only asking what each one would like to ask when I prefer a request that the discussion of this morning be brought to a formal conclusion by PRESIDENT ELIOT of Harvard University.

ADDRESS OF CHARLES W. ELIOT, LL.D.

Mr. President, Mr. Smiley, Ladies and Gentlemen: We have heard a great variety of suggestions this morning concerning the furtherance of this cause in institutions of education. Some of them have been practical suggestions as to what may be taught and done in schools and colleges. But I think most of them have been really suggestions that this holy cause is best to be furthered in educational institutions by a steady improvement in what Professor Willoughby called their moral climate. That change of moral climate is sure to bring about a state of public opinion which will mitigate the violence of nations. Now there are a good many hopeful signs as to a change of moral climate in our institutions of education. I have personally seen several most encouraging changes in this respect. For instance, when I was

a boy in the best public school of the city of Boston, and the oldest school in Massachusetts, the control used was physical force, the application of torture—that is the long and short of it; the control was force. Now that has disappeared from the American school system, and with it has gone the teaching that force is the rightful ruler. That change runs through the American family as well as the American school. There has been a wonderful improvement in home discipline in that respect, and that improvement goes our way, ladies and gentlemen. It goes toward the abandonment in all human affairs of the exercise of force as final control.

There is another climatic change which has been wrought in schools and colleges quite within the period of my observation. There used to be all through our school system and our college system a large element of prescription,—“Thou shalt” and “Thou shalt not!” There was a deplorably small element of cultivation of freedom of the will, of self-control in the individual.

The implicit obedience inculcation is another way of expressing subjection to force in government. It is essentially military in quality; and there again we have a change in all our educational institutions which goes the way of this Conference. We cultivate now in the young,—that is, the wise teacher cultivates in the young, from the beginning and all through school life, the power of self-direction, self-control; and, after all, to acquire self-control is the supreme object in education. Here again is a broad change in education which goes the way of this conference toward international self-control.

But are we to expect that the element of force is now going out of government? By no means. It must remain, as Commissioner Draper said, the ultimate appeal. But what kind of force is going to continue in the world? Not the force of army and navy; but the force we call police power, a force nineteenth-twentieths of the applications of which are protective. Force as protection is an entirely different thing from force as aggression. What the world is going to preserve as abiding force is the force we call police force, which keeps peace, preserves order, and brings help.

Universities and colleges illustrate, I believe—at least in our country—the coming form of government all over the world. The *coming* form,—not to-morrow, not in the next decade, but we may fairly hope in the next century. What is the characterization of college and university government? No force whatever, no penalty except exile—and that is enough—in all these college and university administrations of our country. In that condition they teach freedom, they teach self-government; and there is another thing they teach—good-will. Good-will among men results from all teaching which can be called world-wide,

all teaching of the nature of different peoples, of their laws and customs, and of their religions. The greatest development in teaching that I know of during the last ten years in our institutions is the development of what is called comparative teaching;—comparative anatomy, comparative physiology, comparative psychology, and comparative pathology. This comparative teaching goes right into moral questions as well as physical questions. Much of the teaching of law has become comparative and much of the teaching of religion.

In all these ways the colleges and universities are widening out human sympathies, and bringing in a new epoch of good-will. The universities, it was said this morning, live to seek and to teach truth. Very true. Now my present teachers in Biblical criticism have taught me that the angels' song over the plains of Bethlehem is not rightly translated in the common version. It is not "Peace on earth, good-will to men;" the real meaning is, "Peace on earth to men of good-will," and that is what the universities are helping to bring about, the increase of good-will; and then force will only be applied to men who lack good-will. There will always be some such men, therefore there will always be some force needed, so far as we can see; but the policies of the American universities as forms of government indicate that before very long the free governments of the world will find it necessary to use but little force and that a police force. (Applause.)

THE CHAIRMAN: The Conference is adjourned until this evening at 8 o'clock.

Fourth Session

Thursday Morning, May 23, 1907.

THE CHAIRMAN: You will remember that some fifty years ago Mr. Herbert Spencer, in his classic treatment of the history of society, marked the passing of the period of militarism into the period of industrialism. It is appropriate that one session of this Conference should be devoted to hearing men who are in their daily life and activity leaders of the industrial and commercial and financial movement which has reached such stupendous proportions in these United States and throughout the world. The program for this evening has been arranged by the representatives of the Chambers of Commerce, the Boards of Trade and the other organizations here represented.

The first speaker will be MR. CHARLES RICHARDSON, of Philadelphia, Chairman of the Committee appointed by this Conference to interest business men and business organizations.

REPORT OF THE COMMITTEE APPOINTED TO APPEAL TO BUSINESS MEN AND BUSINESS ORGANIZATIONS

TO THE LAKE MOHONK CONFERENCE ON INTERNATIONAL ARBITRATION.

PRESENTED BY CHARLES RICHARDSON, CHAIRMAN.

During the past year the details of the work allotted to this Committee, and the correspondence with the business organizations have been managed by the Secretary, Mr. H. C. Phillips, with characteristic skill and efficiency.

While no attempt has been made during the year to secure additional endorsements of the circular "Why Business Men Should Promote International Arbitration," nine prominent bodies have volunteered such endorsements, increasing the number of endorsing bodies to one hundred and twenty-five and the number of states represented (exclusive of Canada) to thirty-eight.

The special work on which attention has been concentrated has been to secure from business organizations action on the three propositions embodied in the petition sent by this Conference last year to President Roosevelt urging that the United States delegates to the second Hague Conference be instructed to urge that body to give favorable consideration to:

1. "A plan by which the Hague Conference may become a permanent and recognized Congress of the Nations with advisory powers.
2. "A general arbitration treaty for the acceptance of all the nations.
3. "A plan for the restriction of armaments and if possible for their reduction by concurrent international action."

A circular prepared by this Committee urging business organizations to adopt the above resolutions in substance and communicate their action to the President and Secretary of State was sent out in December, 1906. A copy of this circular as well as of the list of endorsing bodies will be printed as a part of this report. Of the one hundred and twenty-five endorsing bodies, fifty-one endorsed the resolutions, two bodies, however, withholding expression on restriction of armaments and one body on a general arbitration treaty. Practically all of these bodies communicated

their action, by resolution, letter or petition, to President Roosevelt and Secretary of State Root, and many of them sent copies to Hon. Joseph H. Choate, Hon. Horace Porter and Hon. U. M. Rose, delegates to the second Hague Conference. Similar action was taken by eleven organizations not included in the list of endorsers.

While it may seem that a comparatively small number of organizations took action, it should be remembered that it has been impossible until quite recently to make positive announcement that the Hague Conference would meet this year, and business organizations naturally hesitated somewhat pending such an announcement. It is also to be noted that the bodies which acted (a list of which is appended to this report) are almost without exception large and influential.

The general character of the correspondence has been encouraging, the officials and members of the endorsing bodies showing more and more interest in the work, and it is safe to report substantial gains in interest and in willingness to co-operate.

The suggestion has been made to, and is now recommended by this Committee, that as a means of promoting and facilitating the work of these Conferences, the Secretary should be requested to prepare a special list which might be called a List of Co-operating and Corresponding Business Organizations. This list would be confined to associations which have shown an active interest in international arbitration, and expressed a wish to be so registered as being in sympathy with the objects of the Mohonk Conference, and desiring to receive such publications and appeals for special action as may from time to time be issued from these headquarters. Of course, no such organization would ever be responsible for, or in any way affected by, anything not specifically decided upon and approved by itself.

In previous reports and circulars this Committee has emphasized the special powers and opportunities of business men and business organizations for influencing the policies of our government and the development of public sentiment. And in concluding this report we wish to urge upon every business member and correspondent of this Conference, the importance of taking advantage of every suitable opening for correcting erroneous ideas. There are still many persons whose antagonism or indifference can be converted into cordial co-operation by a tactful presentation of such arguments as those that have become too familiar for more than a very brief reference in a meeting like this.

If we meet with the argument that wars have sometimes been followed by good results, we can always answer that in most cases, much better results could probably have been attained at far less cost and without bloodshed, and that no aggressive or avoidable war can ever be justified by the fact that it may be followed by a subsequent development of material prosperity or Christian virtues. It would be as logical to say that the outrages by the robbers on the road to Jericho were excusable because they led to the exercise of general helpfulness by the Good Samaritan. We can also point to the tendency of wars to destroy or disable those who are strongest and best fitted to serve their fellowmen and to perpetuate the race.

No member of this Conference should have any difficulty in showing that there is not a particle of truth in the frequent assumption that a total or partial disarmament must necessarily accompany or precede the general adoption of International Arbitration, or of an agreement for avoiding a further increase of existing armaments. And in this connection, it may be well to allude to the obvious fact that no additions to the army or navy of any of the great nations can make it materially stronger than it now is, in comparison with the others,—because every attempt to increase its proportionate strength must inevitably lead to a corresponding increase in the armaments of the other countries.

Much can be said in reply to the plea that there are certain kinds of cases in regard to which no nation should ever consent to be bound by the decision of an international court. But perhaps the most useful answer is that for all such cases the right to ignore the decision can be expressly reserved. If it is stipulated that there shall be no fighting until after a full hearing and decision, there will be very little danger of a resort to arms.

The objection that an international court could not be effective because it would have no army or navy to enforce its decisions, can be met with the statement that the authority of such a court would be based upon the solemn covenants of all the principal nations in a general treaty. Its conclusions would only be reached after full hearings, thorough investigation and careful deliberation. No nation that has been a voluntary party to such a treaty could afford to incur, or long endure the universal condemnation and contempt of mankind by violating its pledges and refusing to accept the decisions of such a tribunal. If such a case should ever arise, it would be perfectly feasible for the other nations to unite for the prevention of forcible aggression, or for some effective degree of financial or commercial ostracism. But the history of hundreds of arbitrations is in itself a conclusive proof, if any was needed, of the extreme improbability that such measures would ever be necessary.

The same long record of successful arbitrations should also serve to show that there is little or no ground for the recently expressed fear that it would be difficult to secure fair arbitrators or judges. Even if it were otherwise, it would be safe to rely upon the broadening, purifying and uplifting effect of a general adoption of the measures we urge. They would undoubtedly result in a great advance and development in the popular ideals, and in reverence for fairness and justice in the minds of the people and their leaders and governors in all the nations of the earth. It is as true of nations as it is of individuals that

"Whene'er a noble deed is wrought,
Whene'er is spoken a noble thought,
The tidal wave of deeper souls
Into our inmost being rolls,
And lifts us unawares
Out of all meaner cares."

The so-called practical difficulties in framing an agreement for the limitation of armaments seem to be more imaginary than real, because what is required is not an agreement that shall be perfectly fair and just, but only one that shall be perfectly definite. What we are now asking for is not the "*right limit*" but *some* limit, and special exceptions can easily be made for the special conditions or temporary deficiencies of particular nations. It is eminently a case for insisting on the old maxim that "Where there is a will there is a way." If it should be true, as reported, that the governments of the nations which have been classed and feared as "The Yellow Peril" will be among the foremost at The Hague in advocating a limitation of armaments, it will refute one of the principal arguments against such a measure, and we shall all have reason to rejoice at such a splendid augury for the future peace of the whole world.

CHARLES RICHARDSON, Chairman,
JOHN CROSBY BROWN,
JOEL COOK,
MAHLON N. KLINE,
W. A. MAHONY,
GEORGE FOSTER PEABODY,
ELWYN G. PRESTON,
CLINTON ROGERS WOODRUFF,
Committee.

CIRCULAR SENT TO BUSINESS ORGANIZATIONS.

LAKE MOHONK CONFERENCE ON INTERNATIONAL ARBITRATION, MOHONK
LAKE, ULSTER COUNTY, NEW YORK.

December, 1906.

It has been reported although not officially announced that the Second Hague Conference will meet in 1907, and that the instructions for the American delegates are now being considered. These instructions may have a decisive influence on the final results of the meeting at The Hague, and any requests or suggestions in regard to them should be put in the form of appropriate letters or resolutions and sent to the President and to the Secretary of State as soon as practicable.

As a committee of the Lake Mohonk Conference, we wish to suggest for your consideration the importance of action on behalf of your organization in this connection.

The most useful and essential action will be a brief but emphatic expression of a desire that the United States delegates may be instructed to urge the consideration of the three measures unanimously recommended by the last Lake Mohonk Conference and appearing on page eight of the report which has been sent to your address and also on the enclosed sheet.

These measures were as follows:

"A plan by which the Hague Conference may become a permanent and recognized Congress of the Nations with advisory powers."

"A general arbitration treaty for the acceptance of all the nations."

"A plan for the restriction of armaments and if possible for their reduction by concurrent international action."

The advocacy of these measures has been made especially necessary by the fact that they were omitted or excluded in the call for the Conference as issued by the Russian Government in April last. It is obvious however that the reservations of one government should not prevent the others from expressing their views, and the governments of Great Britain, France, Austria and Italy have already decided to instruct their delegates to advocate the restriction of armaments.

Strong resolutions in favor of the three measures referred to in this letter have been adopted by the Interparliamentary Union which is composed of members of the different national parliaments, those of England, France and the United States being each represented by more than 200 members. The American group has taken the lead in devising a form of treaty which will be likely to receive the approval of the United States Senate.

You will confer a favor by informing the Secretary, Mr. H. C. Phillips, Mohonk Lake, N. Y., of any action that may be taken in this connection.

Yours very truly,

CHARLES RICHARDSON, Chairman,

JOHN CROSBY BROWN,

JOEL COOK,

MAHLON N. KLINE,

W. A. MAHONY,

GEORGE FOSTER PEABODY,

ELWYN G. PRESTON,

CLINTON ROGERS WOODRUFF,

Committee.

The executive committee or officials of the following bodies have endorsed the circular "Why Business Men Should Promote International Arbitration." Organizations marked with a * have adopted strong resolutions favoring international arbitration; those marked with a † have appointed standing committees on international arbitration; those marked || have appointed delegates to one or more meetings of the Mohonk Conference; and those marked °, with two partial exceptions, endorsed the resolutions regarding the Hague Conference adopted at the 1906 meeting of the Mohonk Conference.

NATIONAL.

National Association of Manufacturers||
St. Louis, Mo.
National Board of Trade*||°
Philadelphia, Pa.
National Business League of America*||°
Chicago, Ill.
National League of Commission Merchants||° Boston, Mass

ALABAMA.

The Commercial Club. Birmingham.
The Chamber of Commerce. Mobile.

ARKANSAS.

The Board of Trade*†||° Little Rock.
The Arkansas State Board of Trade†||
Little Rock.

CALIFORNIA.

The Chamber of Commerce*||. Los Angeles.
The Chamber of Commerce. Oakland.
The Merchants' Exchange*. Oakland.
The Chamber of Commerce*||. Sacramento.
The Chamber of Commerce. . . San Francisco
The Merchants' Association. San Francisco.
The Merchants' Exchange*. . San Francisco.
The California State Board of Trade||
San Francisco.

COLORADO.

The Chamber of Commerce*||°
Colorado Springs.
The Merchants' Association||°
Colorado Springs.
The Real Estate Exchange||
Colorado Springs.
The Chamber of Commerce||. Denver.
The Colorado State Commercial Association*||° Denver.
The Business Men's Association||. . . Pueblo.

CONNECTICUT.

The Board of Trade. Bridgeport.
The Business Men's Association*||°
New Haven.
The Chamber of Commerce†||° . New Haven.

DELAWARE.

The Board of Trade||. Wilmington.

FLORIDA.

The Board of Trade*||° Jacksonville.
The Board of Trade. Tampa.

GEORGIA.

The Board of Trade. Brunswick.
The Board of Trade°. Savannah.

HAWAII.

The Chamber of Commerce*||° . . . Honolulu.

ILLINOIS.

The Board of Trade*. Chicago.
The Chamber of Commerce. Quincy.
The Business Men's Association*†
Springfield.

INDIANA.

The Commercial Club. Fort Wayne.
The Board of Trade. Indianapolis.
The Commercial Club||. Indianapolis.

IOWA.

The Merchants' Association. . Cedar Rapids.
The Commercial Club*†. Des Moines.

KANSAS.

The Commercial Club. Leavenworth.
The Commercial Club°. Topeka.
The Chamber of Commerce. Wichita.

KENTUCKY.

The Board of Trade*. Louisville.
The Merchants' and Manufacturers' Association Louisville.

LOUISIANA.

The Board of Trade, Limited*||
New Orleans.
The Progressive Union*. New Orleans.

MAINE.

Maine State Board of Trade||. Bangor.
The Merchants' Exchange and Board of Trade*||°. Portland.

MARYLAND.

The Board of Trade*||°. Baltimore.
The Chamber of Commerce*||. . . Baltimore.

MASSACHUSETTS.

The Chamber of Commerce*||°†. . . . Boston.
 The Merchants' Association||°. . . . Boston.
 The Massachusetts State Board of
 Trade*||°†. . . . Boston.
 The Board of Trade||°. . . . Lynn.
 The Board of Trade*||°†. . . . Springfield.

MICHIGAN.

The Business Men's Association°
 Battle Creek.

MINNESOTA.

Northwestern Manufacturers' Association°
 St. Paul.

MISSOURI.

The Board of Trade*||. . . . Kansas City.
 The Commercial Club. . . . Kansas City.
 The Commercial Club. . . . St. Joseph.
 The Business Men's League. . . . St. Louis.
 The Latin-American Club and Foreign
 Trade Association||°. . . . St. Louis.
 The Merchants' Exchange*||°. . . . St. Louis.

NEBRASKA.

The Commercial Club°. . . . Lincoln.
 The Board of Trade. . . . Omaha.
 The Commercial Club†°. . . . Omaha.

NEW JERSEY.

The Board of Trade*||°†. . . . Camden.
 The Board of Trade||°. . . . Newark.

NEW YORK.

The Chamber of Commerce*||°†. . . . Albany.
 The Business Men's Association†||°. Auburn.
 The Manufacturers' Association of New
 York*||†°. . . . Brooklyn.
 The Chamber of Commerce*||°. . . . Buffalo.
 The Chamber of Commerce°. . . . Elmira.
 The Chamber of Commerce||. . . . Geneva.
 The Board of Trade*||. . . . Lockport.
 The Board of Trade & Transportation*||†°
 New York.
 The Merchants' Association*||†°, New York.
 The Produce Exchange. . . . New York.
 The Chamber of Commerce*||°. . . Rochester.
 The Chamber of Commerce*||. . . . Syracuse.
 The Chamber of Commerce. . . . Troy.

NORTH CAROLINA.

The Chamber of Commerce and Industry
 Raleigh.
 The Retail Grocers' Association. . . Raleigh.

OHIO.

The Business Men's Club||°. . . . Cincinnati.
 The Chamber of Commerce*†||°, Cincinnati.
 The Chamber of Commerce*†||°, Cleveland.
 The Board of Trade*†||°. . . . Columbus.
 The Board of Trade||. . . . Dayton.
 The Commercial Club. . . . Dayton.

OKLAHOMA.

The Commercial Club. . . . Beaver.
 The Chamber of Commerce, Oklahoma City.

OREGON.

The Board of Trade||. . . . Portland.
 The Chamber of Commerce*||°. . . Portland.

PENNSYLVANIA.

The Board of Trade*. . . . Erie.
 The Business Men's Exchange°. . . . Erie.
 The Chamber of Commerce†||°. . . . Erie.
 The Board of Trade||. . . . Harrisburg.
 The Board of Trade. . . . Lancaster.
 The Board of Trade*†||°. . . . Philadelphia.
 The Trades League*†||°. . . . Philadelphia.
 The Chamber of Commerce*||°. . Pittsburgh.
 The Board of Trade. . . . Reading.
 The Board of Trade*†||°. . . . Scranton.
 The Board of Trade. . . . Wilkes-Barre.

RHODE ISLAND.

The Board of Trade||. . . . Providence.

SOUTH CAROLINA.

The Chamber of Commerce. . . . Charleston.

TENNESSEE.

The Cotton Exchange*°. . . . Memphis.
 The Merchants' Association*°. . . Memphis.
 The Board of Trade||°. . . . Nashville.

TEXAS.

The Chamber of Commerce||. . . Beaumont.
 The Commercial Club. . . . Dallas.

UTAH.

The Commercial Club||. . . . Salt Lake City.

VIRGINIA.

The Stock Exchange Richmond.

WASHINGTON.

The Chamber of Commerce||. . . . Seattle.
 The Chamber of Commerce*. . . . Tacoma.

WEST VIRGINIA.

The Board of Trade||. . . . Wheeling.
 The West Virginia Board of Trade||
 Wheeling.

WISCONSIN.

The Commercial Club. . . . Menomonie.
 The Chamber of Commerce||°. . Milwaukee.

CANADA.

The Board of Trade. . . . Hamilton.
 The Board of Trade. . . . Montreal.
 The Board of Trade||. . . . Toronto.
 The Canadian Manufacturers' Association*
 Toronto.
 The Retail Merchants' Association of Can-
 ada* Toronto.
 The Board of Trade*. Winnipeg.

THE CHAIRMAN: The next speaker will be MR. JOEL COOK, President of the Philadelphia Board of Trade, who has been chosen by the business men present as their chairman.

REMARKS OF MR. JOEL COOK,

PRESIDENT OF THE PHILADELPHIA BOARD OF TRADE.

Mr. President, Mr. Smiley, Ladies and Gentlemen: I have been honored by my associates of the various business men's organizations with the post of chairman of their meeting which they held to-day, and therefore I open their presentation of this subject. I think I may properly premise, and in doing so represent their sentiment, that we have heard the words of wisdom from the bench, and that the whole business organization of the United States honors and obeys the judiciary. (Applause.) We are here at this Conference in strong numbers. Fifty organizations are here. They represent not only the United States, but Canada; not only the cities on the Atlantic seaboard, but the interior, as far south as Florida, as far west as the Lakes and the Rockies, and even one of our newest possessions, Honolulu, in the Sandwich Islands; and joining with us a voice from Canada, from the Toronto Board of Trade.

I do not want you to suppose that these organizations and the business interests they represent may only be described as the fighting battle ships of business. We try by arbitration, by reasoning, by argument, by representations to legislative bodies to promote business interests. I do not want you to suppose that the sole end of business, as shown by these organizations, is simply sordid—simply for gain or for saving; it is far otherwise. We have come here from all quarters and as business men we recognize and appreciate that in addition to the great humanitarian ideas developed here, everything is conducted by the most enlightened and conservative business arrangement. Our genial host, who does all this, must be, as we think, one of the greatest business men in America, and, Mr. Smiley, we recognize you as one of the captains of American industry. (Applause.)

I only want to say that we are here to-night in strength, and that there are various principles that have been laid down by us to present to this meeting. Our secretary will read them to you. (Applause.)

There was next presented by MR. CHARLES E. KELSEY, acting as Secretary of the organizations represented, a list of the official delegates present. Fifty-four prominent organizations had appointed delegates, and most of these delegates were present. The list follows:

LIST OF ORGANIZATIONS REPRESENTED, AND OF DELEGATES.

NATIONAL.

National Board of Trade.....	Frank D. LaLanne, President.
National Business League of America.....	E. Allen Frost.
National League of Commission Merchants.....	A. Warren Patch, Secretary.
National Manufacturers' Association.....	A. B. Farquhar.

COLORADO.

Colorado Springs Chamber of Commerce.....	Dr. James A. Hart.
Colorado Springs Merchants Association.....	Dr. James A. Hart.
Colorado Springs Real Estate Exchange.....	Dr. James A. Hart.
Colorado State Commercial Association (Denver).....	Dr. James A. Hart.

CONNECTICUT.

New Haven Business Men's Association.....	Ralph S. Pagter, President.
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DELAWARE.

Wilmington Board of Trade.....	Leighton Coleman.
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FLORIDA.

Jacksonville Board of Trade.....	Dexter Hunter.
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HAWAII.

Honolulu Chamber of Commerce.....	W. R. Castle, Jr.
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MAINE.

Portland Board of Trade.....	Percy H. Richardson.
Maine State Board of Trade.....	Percy H. Richardson.

MARYLAND.

Baltimore Board of Trade.....	Eugene Levering.
Baltimore Chamber of Commerce.....	Douglas M. Wylie, President

MASSACHUSETTS.

Boston Merchants' Association.....	Charles C. Hoyt.
Massachusetts State Board of Trade.....	Loyed E. Chamberlain.
Lynn Board of Trade.....	W. H. Treen, President.
Springfield Board of Trade.....	Philip S. Moxon.

NEW JERSEY.

Camden Board of Trade.....	Alexander C. Wood.
Newark Board of Trade.....	John McDowell.

NEW YORK.

Albany Chamber of Commerce.....	Wm. B. Jones, Secretary.
Manufacturers' Association of New York, (Brooklyn).....	Wm. E. Bainbridge.
Buffalo Chamber of Commerce.....	T. Guilford Smith.
Geneva Chamber of Commerce.....	N. B. Remick.
Lockport Board of Trade.....	M. K. Hoover.
New York Board of Trade and Transportation.....	James Talcott.
New York Merchants' Association.....	J. Crawford McCreery.
Rochester Chamber of Commerce.....	Winfred J. Smith.
Syracuse Chamber of Commerce.....	Delmer E. Hawkins.

OHIO.

Cincinnati Business Men's Club.....	H. T. Atkins.
Cincinnati Chamber of Commerce.....	Charles B. Murray, Supt.
Cleveland Chamber of Commerce.....	J. G. W. Cowles.

PENNSYLVANIA.

Erie Chamber of Commerce.....	Clark Olds.
Philadelphia Board of Trade.....	Frank D. LaLanne.
Philadelphia Trades League.....	Mahlon N. Kline.
Scranton Board of Trade.....	A. W. Dickson.

CANADA.

Toronto Board of Trade.....	Elias Rogers.
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Two special meetings, outside the regular sessions of the Conference, were held by the business men, at which the following resolutions were adopted. These resolutions were afterwards communicated to the Conference as the expression of the business men.

The business men attending the Mohonk Conference for International Arbitration recommend the following:

(1) "A plan by which the Hague Conference may become a permanent and recognized Congress of Nations with advisory powers."

(2) "A general arbitration treaty for the acceptance of all the nations."

(3) "A plan for the restriction of armaments and if possible for their reduction by concurrent international action."

(4) "The securing of the exemption of private property from seizure and the neutralization of ocean routes during times of warfare."

(5) "The prohibition of the collection of private debts by force of arms."

The business men, who had full charge of their own program, selected a limited number of speakers from among the delegates present. They also passed a resolution authorizing the Publication Committee of the Conference to receive short manuscripts from delegates who, by reason of limited time, did not have the opportunity to speak. A number of delegates have forwarded manuscripts which, under the conditions of this resolution, will be printed as part of the proceedings of this session.

THE CHAIRMAN: We are now to hear from other speakers selected by the business men to represent them at this session. I will first call upon RIGHT REVEREND LEIGHTON COLEMAN, Bishop of Delaware, who is the official representative of the Wilmington Board of Trade.

REMARKS OF RT. REV. LEIGHTON COLEMAN,

DELEGATE OF THE WILMINGTON BOARD OF TRADE.

Mr. Chairman, Mr. Smiley, Ladies and Gentlemen: I consider it a great privilege and honor to be a member of this Conference and a participant, however so humbly, in this present discussion. At first thought, it might seem to many as rather an intrusion on my part that I should presume to be here as a representative of an organized body of business men, the Board of Trade of Wilmington. And yet the secretary has a certificate signed by the president of that organization to the effect that I am its duly appointed representative, and, if I may call for further testimony in my behalf, I think the President of the National Board of Trade who is here, and who is my friend, will add his word of assurance to the effect that I am recognized as an active member of that Board.

To justify my acceptance of the appointment with which I have been so unworthily honored, I might say in general that a clergyman who is undertaking to discharge strictly ecclesiastical duties without regard to the principles which obtain generally amongst business men has mistaken his calling. I know very well that there are many who think the clergymen are not as a rule very good business men. I venture to differ, with all due deference and yet after a considerable amount of experience in this respect, from such an opinion, being perfectly willing (if I may not be trespassing upon the line of courtesy) to put alongside the failures amongst business men, technically so-called, the failures amongst the ministers of all denominations in the land. And in further justification of my attendance, I may say that in the first recorded public saying of our Blessed Lord He gave utterance to a great truth to be remembered and to be applied in their daily lives, as well by clergymen as by laymen, when in answer to the anxious inquiry of his earthly parents why he had given them so much concern as to why he was absent from their number, He replied, "Wist ye not that I must be about my father's business?" I am well aware that there is another version of the sayings of our Blessed Lord, but King James' version in this connection, as in others, is still, Mr. Chairman, good enough for me, and I should be very sorry if there disappeared from general circulation the very phrase which I quoted of our Blessed Lord's saying on that memorable occasion, because He reminded those who heard Him, as He has since reminded all of His disciples and followers, that discipleship in Him and following of Him were to be accounted a regular or lawful continuous act of business. And therefore let me say again, it is a mistake on the part of the laity, if I may venture so to speak, to look upon clergymen as not deserving of a place amongst those who are technically styled "business men."

In regard to the very question which is more specifically presented to us for consideration to-night, the attitude of business men towards this question of international arbitration, what are the duties in this respect devolving upon business men? Might I say that if the business men of this nation were in the conduct of their business to consider the privilege of fellowship in the principles of our Blessed Lord as of more value than the acquisition, and sometimes the mere hoarding of filthy lucre, we should be a great deal nearer the accomplishment of our great desires in this respect and in other needed and praiseworthy respects. It is to me, sir, a most hopeful sign that amongst so many organizations of business men, this question of international arbitration has been utterly removed, or practically so, from the mere position of academic discussion, and now belongs by general consent to those topics which are of the most practical char-

acter. The very increase in the number of such organizations represented here from time to time proves this most manifestly, but in addition to the organizations here represented, I may venture to assert that there are a great many other similar organizations scattered throughout the land, the members of which are in entire accord with the sentiments which we now hope permeate the minds of those who are here as members of this Conference. Therefore, it is, as it seems to me, an answer to the very question as to how business men can prove the sincerity of their interest in this matter, to have presented to us to-night this very large and representative list of organizations who have gathered in our midst; and might I, as a practical matter in this connection, say how much impressed I was with the suggestion made this morning by one of the speakers, that the several boards of trade throughout the land should be urged by some pecuniary donations to establish lectureships or to give prizes for discussion in this very field of international arbitration; and I shall take advantage on my return to the Board of Trade of Wilmington to press this notion upon my fellow-members.

I should have been glad, had the opportunity been afforded me, to speak more directly, perhaps, to the question of the relation to the mercantile interests of our land of war and its consequences, but I must simply content myself with one closing thought, as to the immeasurable potency of the influence in state and national affairs wielded by the business men of this nation, and pray that it may ever be on the side of right, but ever accompanied, too, by the divine and irresistible force of forbearance, justice, reason, self-effacement, peace, and love. (Applause.)

REMARKS OF HON. LOYED E. CHAMBERLAIN,

DELEGATE OF THE MASSACHUSETTS STATE BOARD OF TRADE.

I suppose the average business man in his annual life comes in closer contact with a greater variety of men at more points in the circle than any other man in our midst. For that reason the business man becomes a valuable asset in any institution or cause that presupposes and necessitates the creating, the fostering or development of public sentiment. The business man in the halls of the legislature is the sheet anchor of wise legislation. The business man has the ear of the government, because the government knows he is a conservative man, that he is a potent factor in his community and that he makes up his mind after he has seen and discussed all sides of a given question. The business man essentially desires peace rather than disturbance. Then it becomes necessary in this cause, as in all others, to have with it the best influence of the business man, and I have always con-

ceived it as one of the wisest moves in this Conference that it sought a few years ago to secure as its clientage the business community and organizations of the United States.

The Massachusetts State Board of Trade early became interested in this movement and was one of the first to accept the invitation that was sent out. It entered at once upon its work, determined that it would not be a negative factor, but would (if it could) become a positive force. The board immediately formed a permanent committee on international arbitration. That committee was given to understand that it was not merely an ornament, but that it was there to do some work. It was to keep its eye out over the world; it was to voice to the organization the best and growing sentiment of the world along these lines and it was to be the mouthpiece, if the necessity came about, to speak for the movement. The committee wrote up the history of the Hague Tribunal; it sought in every way to make the work of this Tribunal and its possible work, as well as its history, known to all the membership. As chairman of that committee I think we have succeeded in so doing. But this Board was not content to move along these lines; it was desirous, if it could, of contributing something positive to this great work outside of the lines that had been suggested to it, and some of you may remember that I had the good fortune to present before this Conference, representing the State Board of Trade, a proposition which it had worked out and which it had sought to give to the world.

This was the neutralization of the ocean routes of travel between the great commercial ports of the world. The Massachusetts State Board of Trade realized the importance of commerce; that it had been the inspiration of discoverers; that it was the mother of expansion; that great wars had been fought in its behest and in its behalf and at its command treaties had been framed and peace had once more reigned. It realized that there had been no time in the history of this world when the commercial force was so powerful as to-day; that there never was a time in the world's history when the nations were so closely allied as to-day, that there never was a time in the world's history when by reason of science, by reason of the telegraph, telephone and swift-moving steamships, which had been brought about because of commerce, the whole family was so near being a real family as in these very years in which we now live.

It invoked in this proposition three fundamental ideas; one was the right of intercourse between nations. I may say this is an inalienable right. It is a right of all sovereign powers that there should be free intercourse, one with another. It invoked in the second place that the waters of the great oceans are com-

mon property, that all nations bordering upon them have a right to use that common highway, and no belligerent nations, because of some little difference of their own, have a right to trespass on this common property. It invoked as the third proposition, neutrality, neutrality being in time of war a continuation of the conditions that existed before the war came into existence. Based upon these three ideas it propounded the doctrine that the great trade routes between the commercial centers of the world should be left open so that in case of war contending parties should not trespass upon the rights of those who had the privilege and right to use this common highway.

We promulgated that doctrine, we thought we had a good thing, and we were determined the nations of the world should know something about it. We sent communications to all the business organizations of the country and to every government of the world. They were thrown into the waste basket, perhaps, but we had performed our duty. We came to the Mohonk Conference and you saw the benefit of it and unanimously incorporated it in your platform last year. Under this powerful guarantee we went forth, and I had the privilege of attending, as delegate, the last International Peace Congress at Milan. There this question was brought up, and Dr. Trueblood, in whose company I went, later referred in his paper to the debate on the proposition as one of the most interesting debates to which he had ever listened in any Peace Conference. It was seriously discussed and by a considerable number of the representatives. If time allowed I would like to bring up the arguments presented pro and con. I then went to the International Law Association at Berlin and the proposition was there submitted to a committee for its study along these same lines. We sent a delegation to the National Peace Conference recently held in New York and, although not incorporated in the platform, it became the subject of a supplementary resolution. The present session of the Massachusetts Legislature memorialized the President, indicating several subjects which it thought proper for the next discussion at The Hague; and because of the suggestion and at the request of the Massachusetts State Board of Trade the Legislature incorporated into its memorial this proposition. We have not been content to stop there. We have sent our own memorial to the President along these same lines and I thought perhaps at this time it might be interesting for me to rehearse what it is not necessary to discuss, because it has already been adjudicated upon by this body, that these business organizations can find a world of opportunity, if so disposed, to give the sledge hammer blows of hard-headed, conservative, practical men in behalf of this great proposition. (Applause.)

REMARKS OF MR. DEXTER HUNTER,

DELEGATE OF THE JACKSONVILLE BOARD OF TRADE.

Mr. Chairman, Mr. Smiley and my Friends: What is the real attitude of the average business man with regard to the subject of international arbitration? By the average business man I do not mean the multi-millionaire; I do not even include the man who, having passed the meridian of life and accumulated a comfortable competence, is making the final preparation for his exit from this world. I mean simply the earnest, hard-headed working man whose time is wholly absorbed in the prosecution of his business and who in a general way rarely bestows much thought upon any other subject.

So far as my observation and experience go, this man does not give his hearty approval to the subject of international arbitration. Neither, on the other hand, does he actively oppose it. His attitude, so far as I am familiar with it, is one of quiet acquiescence in the doctrine, due in part to its high-sounding title and in part to the distinguished character of the men by whom it is advocated. In a word, having assented to the general proposition, his mind is in a plastic state and he is awaiting further light upon the subject. It is just here that the opportunity as well as the responsibility of the leaders of public opinion come in. It is for them to say, and especially for our delegation to the Hague Conference to say, whether this nation shall stand for peace or war. The average business man is a man of "good-will" and he will ardently support any proposition put forward by the Hague Conference that makes for peace and that does not involve the honor of the flag or the integrity of our territory. One of the things that the average business man does expect of our delegates to the Conference is that they shall be inspired by the belief that sometime, somehow, war will cease, and deal with all subjects brought to the attention of the Conference in that spirit. He will be greatly disappointed if our delegates should fail earnestly to advocate the following propositions, provided opportunity is afforded therefor:

1. The establishment of a permanent tribunal for the promotion of arbitration;
2. The limitation of naval armaments;
3. The establishment of neutral zones of travel on the high seas;

And last, but not least, the prohibition of the collection of private debts by one nation as against another nation by force of arms.

The average business man has heard a good deal during the past year about the abstract principle of arbitration. He is in the position of the builder who, having been driven over a large

estate and finally taken upon a high mountain, was asked what he would charge to erect a mansion upon that mountain. "But," said the builder, "where are your plans and specifications?" The average business man is looking to the Hague Conference for the plans and specifications. (Applause.)

REMARKS OF DR. JAMES A. HART,

DELEGATE OF THE COLORADO SPRINGS CHAMBER OF COMMERCE
AND OTHER COLORADO BODIES.

Mr. President, Mr. Smiley, Ladies and Gentlemen: It is needless for me to express my personal interest and appreciation of the work of this body. Personal opinions and personal interest of course count for something. My pride may be pardoned when I state that in the short time of two years the whole State of Colorado has come to regard with keen notice and appreciation the deliberations of this Conference. Now this is no idle statement for our papers publish every item procurable in reference to what takes place at these sessions. Last summer upon my return to Colorado Springs in August (several months after our last meeting) I had no more than reached my room when an interview was requested by a representative of a daily paper who stated that he came at once to obtain all the information he could regarding the Mohonk Conference. When I came here two years ago representing the Colorado Springs Chamber of Commerce, I believe that I was the only delegate from as far west as the Rocky Mountains. I might even have been considered something of a curio, for at about that time Colorado had a reputation of acquiring peace even if they had to fight for it. It was difficult for me to explain that I was not a college professor, or that I did not represent a pulpit in my native town. In fact I was asked if I was not a noted Episcopal dean from Denver. At that time Colorado was simply represented here by the Colorado Springs Chamber of Commerce. Last year, out of about fifty business organizations represented here, the State of Colorado was entitled to over one-tenth of the representation, there being six different business associations represented from different parts of the State. The same organizations not only continue their interest in the Mohonk Conference, but have again passed strong resolutions of endorsement of its deliberations, these resolutions having been forwarded to the Secretary of this Conference. I will state also that these various organizations sent a memorial to President Roosevelt endorsing the three resolutions passed by this Conference. Thus, ladies and gentlemen, I trust you will realize how earnestly our lovely Colorado desires to extend its sunshine by these expressions. (Applause.)

REMARKS OF HON. DAVID P. JONES,

FORMER MAYOR OF MINNEAPOLIS.

Mr. President, Mr. Smiley, Ladies and Gentlemen: I am not a duly accredited representative of any business organization in the city of Minneapolis, and I do not represent a Board of Trade or a Chamber of Commerce, but as a business man of that city I am glad of an opportunity to stand before this fine audience and express my personal interest in the great object of the meeting which is held here, and to say that the heart throb of the Northwest and of our city beats in unison with the great theme under discussion here. The question has been asked, "What is the attitude of business men towards this great movement?" That question has been already well answered by those who have preceded me. The business men have been speaking for those large interests they represent.

An incident has recently occurred in our own city which will explain better perhaps than I could in any other way the drift and sentiment toward universal peace and international arbitration. Sometimes it is said that "out of the mouths of babes and sucklings wisdom shall be ordained." It seems to me this is almost true in our own community, for I have with me a clipping which I took from one of our local papers, which describes something which, in this morning's session, we were not sure could be practically carried out, namely, a day set apart, once a year presumably, for exercises of a general character in the public schools. In order that the great subject of the peace of the world and arbitration of international difficulties might be discussed, the public schools of our city had a date fixed, or as nearly fixed as possible, approaching the eighteenth of May, and had a celebration. I want to say in passing, in answer to the objection that you could not choose a day which could be universally used in this country because the date fixed might come on a Saturday or a Sunday, that by agreement I think such a date could be fixed upon the nearest approaching school date to the eighteenth of May. Let me read a clipping from the *Minneapolis Journal* which is the best offer I can make as to the intelligent promotion of this subject in Minneapolis:

"Celebrating the anniversary of the establishment of the world peace court at The Hague, the schools of Minneapolis without exception held appropriate exercises yesterday. Aside from a few special features in each room, the program was uniform throughout the city, each room following the outline sent from Boston by the National Peace Society.

"While patriotic songs and recitations played a large part in all the exercises, everything tending to glorify war was carefully expunged. The universal features of the program were the telling of stories of the peace conference; the reading of original essays on the desirability of

world-wide peace; the reading of William Ellery Channing's master oration on "The Glory of War," in which the horrors of war are held up to view in unmistakable terms.

"Everywhere the proposed exercises were given the full encouragement of parents and teachers. Dr. C. M. Jordan, superintendent of schools, said that he was surprised at the interest shown in the exercises, which he had expected to be rather perfunctory. He said that the children had shown the most intense interest and had taken great pains to prepare their stories and essays."

That is what transpired in our city in the public schools, with forty-three thousand children participating. It was a fine exhibition. (Applause.)

And that leads me to say that public sentiment may be formulated in the public schools, for we very well know that the child is father to the man, and if he can only plant the good seed in the growing generation, the problems that confront us and about which we are only now slowly gaining wisdom, will be more easily understood as our children come to take our places. I am a profound believer, and want to make that statement here, that you can nowhere else propagate the great truth about this important mission of peace and arbitration to better advantage than to do it through the children who are going to be the men and the women in the coming years. This is the practical contribution which I have to make. I haven't said much about the business men's interests. Business men are extremely practical, but they can help the movement in various ways, just as this distinguished man, Mr. Smiley, our honored host, has shown that he can be the greatest propagandist for the peace of the world in his own person in the splendid manner by which he brings you and me and these hosts together year by year. Each man coming here must be, if he is a true patriot and a whole-hearted man, a center of influence following this great propagandist's magnificent effort to instill these thoughts into our minds. Many a man, who is a business man, can help by the offer of financial assistance, in the form of giving prizes for debates or essays in schools and colleges. Let the business man at least try to finance the propaganda for peace in the world. (Applause.)

REMARKS OF MR. J. G. W. COWLES,

DELEGATE OF THE CLEVELAND CHAMBER OF COMMERCE

Mr. Chairman, Mr. Smiley, Ladies and Gentlemen: At our April meeting of the Chamber of Commerce in Cleveland a large number of new members were admitted, and the President stated that the total membership was then raised to 1,890. These are the business men of Cleveland, organized to discuss public questions relating not only to trade, but to government, and to all

the interests which affect our business life, among them those affecting peace and war.

We are a peaceful and peace-loving people. We do not wish for war. We do not provoke war. There has never been a war in the history of our country which was provoked in any manner or demanded by the business interests of our country. If any could be so considered it might be the War of 1812, which originated in commercial irritations and contentions between this country and Great Britain regarding blockades and embargoes, and searches and impressments on the high seas. But I think historians agree that that war was unnecessary and might have been avoided; certainly it would not have occurred had it been possible to interchange opinions as rapidly between the two countries as since the days of the Atlantic cable. For the obnoxious "orders in council" which had been most offensive to our government, were repealed in London five days after the declaration of war at Washington; illustrating what an opportunity there was for diplomacy to avert that war; certainly arbitration might have done so. The demand for the war was not by the commercial or business interests of the country, but rather by the political necessities of a party and a candidate for the presidency, who thought a war with England just at that time would be favorable to their partisan and personal interests.

The war with Mexico was not demanded by the business interests of the country, but by the slave-holding interests of the Southern states. It was an unpopular war throughout the North. It was demanded by the South in the hope of acquiring additional territory over which the institution of slavery might extend. That war was considered, and I think history still classifies it, as an unjust war of aggression. It was an unnecessary war, and it was not wanted by the business interests of the country.

Of course, the War of the Revolution was necessary; and so was the war for the maintenance of the Union. These two wars were inevitable for the best interests of the people of this country. But even these most just and necessary wars were not entered upon from business considerations, but by reason of the principles involved in them—the freedom and independence of the thirteen Colonies and the maintenance of the Union. From the business standpoint war would have been avoided in both cases if it could have been.

The last war in which we were engaged, that with Spain, was not demanded by the business interests of our country. The business men—merchants, manufacturers, bankers, traders and others—deprecated that war, used their influence to prevent it, made every possible effort to postpone its declaration and ultimately to cause that there should be no war, but that the questions at issue should be settled by diplomacy. President McKin-

ley and Secretary Hay were opposed to war with Spain and did everything in their power to prevent the declaration of it. There were certain newspapers, the so-called "yellow journals," and a certain group or class of Members of Congress, in the Senate and House of Representatives, who clamored for that war. It was not a necessary war, though it may have been a righteous war. We did not want Cuba; we did not go to war to gain anything for ourselves. We did not want the Philippine Islands, and did not even think of such a thing as acquiring those islands for commercial purposes at the outbreak, and in the prosecution of that war, until Dewey entered the harbor of Manila and defeated the Spanish navy there.

I am reciting these incidents to show that the business interests of this country want peace and will have it when they can, and will side with any proposition for any war whatever only when freedom and justice and right demand it; that is when there is left no other way to secure these ends but by force. The government of Great Britain would not have let the colonies become independent; the people of the South would not have sold their slaves. The necessity of those wars was just as imperative as the plagues of Israel upon Pharaoh, when the Lord said: "Let my people go."

The great destructiveness of war, its interference with business, the accumulation of indebtedness, the burdening of the people by taxation, the waste of human life as well as of human property, all these considerations are leading business men to deprecate war and to seek to avoid it.

What can the business men of this country do to promote the practice of arbitration in the settlement of international disputes? We are already acting, as has been said, through our business organizations. We are seeking to influence public opinion in the different cities where our life and our work is, and I am sure that public opinion is being created and focused upon this Hague Conference and its work in a very large degree by the Chambers of Commerce and Boards of Trade of the cities of our country. (Applause.)

REMARKS OF MR. W. R. CASTLE, JR.,

DELEGATE OF THE HONOLULU CHAMBER OF COMMERCE.

Mr. Chairman: Whatever the Spanish war did for this country, whether it should have been or should not have been, it seems to me it added responsibilities to all the citizens of the United States on the peace question. Before the Spanish war we had every humanitarian reason and every reason of righteousness to urge international arbitration. Since that war we have added to our possessions. We have islands in the middle of the

Pacific, and in those islands war would mean annihilation to hundreds of thousands of American citizens. In this country war would mean hard times; to us out there it would mean destruction. We cannot support ourselves. We have not enough land to raise grain on which to live. Our whole prosperity, our whole life depends on commerce, and that means that we must get food stuffs from this country, that we must send from the Hawaiian Islands to this country everything we produce. Since annexation in 1898 the export from the islands has increased over one-half. At that time it was about fourteen millions; in 1905 it was thirty-six millions. This produce, principally sugar, must all be sent across the water. Another thing on which the prosperity of the islands depends is the tourist travel. That would be gone instantly in case of war. It seems as though one would have less of war there than anywhere else in the world. It is a peaceful place, and yet it is one of the most sensitive places in the world to any rumor of war. As an example of that, during the Russo-Japanese war we could not get laborers; we had not enough there. The result was that our export in 1905 was, as I have said, thirty-six millions; in 1906 only twenty-six millions, entirely due to the fact that that war prevented us from getting laborers from Japan. Just lately the bare, foolish rumors (as we know them) of trouble with Japan on account of the San Francisco school affair, almost entirely stopped tourist travel, which was a hard blow to the islands.

The Hawaiian Islands are utterly unprotected. In case of war any nation could step in there and destroy the whole place. The United States government is thinking now of turning part of the proceeds of the territory to use in the territory principally in building up the fortifications—the fortifications to cost something like \$14,000,000. We do not want fortifications. What we want is to be able to spend that money in other ways to improve the country, make it more attractive. But so long as international arbitration is not an established fact, we must be protected in some way. Since the Hawaiian Islands are so keenly sensitive to any suggestion of war, there is probably no part of the United States of America where so much thought is given to the question of international arbitration as in the islands; in the schools it is talked about all the time, in the churches it is talked about, in the Chamber of Commerce, in the business men's associations. The Chamber of Commerce has lately passed resolutions endorsing the action of this Conference last year.

One thing particularly in their instructions to me they added—and that was a thing which they consider almost more important than anything else from their point of view as people in the midst of the ocean—the neutralization of trade routes, which has already been spoken of, and the absolute exemption of

private property, not contraband, in time of war. We know that were this not so in time of war, the place would be ruined and the people would starve, because there would be no possibility of carrying on trade or of getting provisions. I want to say another thing which is not so much on the business side of it, but still it is on the business side, for in no place in this country, probably, is the business attitude of the people so closely related with all the other activities, religious, social, educational, as in the islands. It is this: When the missionaries went out there in the first years of the century they were educated people, and their descendants have been to this time leaders in all intellectual lines in the island. They have always been a peaceful people, but not opposed to absolutely necessary war. They are the people who now have control of the intellectual side of the Hawaiian Islands, and I had this afternoon a letter asking me please to represent for the churches there as well as for the Chamber of Commerce the interest of all the people in what we are trying to do here at Lake Mohonk, to say to you that you have at this time all their thought and their prayers. I feel there is no place in the United States that is more keenly in sympathy with what we are doing here, and there is no place which in the schools and along all lines is doing more to bring right feeling with regard to world peace than the Hawaiian Islands. (Applause.)

REMARKS OF MR. ELIAS ROGERS,

DELEGATE OF THE TORONTO BOARD OF TRADE.

Mr. Chairman, Mr. Smiley, and Friends: I want to emphasize that word friends, because I feel we are friends. I cannot understand any other reason for my being here to-night than that one fact that we are friends, and there are certainly no other reasons for my being called upon to speak to you than the fact that you are friendly towards us. Then perhaps there is a personal reason why I feel that you are friends. My forefathers, a little over one hundred years ago, came from this country and they were all Friends—Quakers I mean.

Through the kindness of Mr. Smiley we in Canada have been asked to send representatives here and to unite with you in this great work. I am glad to say there has been a very hearty response from the principal trade organizations of Canada. Without exception every trade organization to which the question has been presented—and it has been presented to all the principal ones—has responded, endorsing the principles of this Conference. I feel to-night that there are two or three things that you ought to know about what is being done in Canada, and what has been done during the past year.

We have not been altogether idle over there. We have formed a Canadian Peace Organization, for one thing, of which Sir William Mulock has accepted the presidency and from which we hope for great things. Perhaps I should say first that Sir Wilfred Laurier, the Prime Minister of all Canada, has expressed himself privately by letter to me as in most entire sympathy with this movement, and I have no doubt that he would have been here to-night but for the fact that he is absent from the country attending the Colonial Conference. On this question of peace Sir Wilfred Laurier has said:

“Canada does not dream of declaring war and no one dreams of declaring war against her. Why, then, should she prepare for war or pay the cost?”

And that is the feeling of our people in Canada generally.

Sir Henry Campbell-Bannerman, speaking at Manchester on the ninth of this month, said, quoting Sir Wilfred Laurier:

“Europe is living in an armed camp. He described the 3,000 miles of frontier between the United States and Canada, and continued: ‘What could be finer than this high truce of God under which the two free sister nations have resolved to live within the security of that defenceless barrier, to banish these symbols of strife, prejudice and suspicion, from their highway frontier? Is the relationship so established less noble than those which subsist between the nations of the old world, nations which still hug the ancient blasphemy that armed force is the only title to respect, the only guarantee of security? I think not. The new world has shown us a more excellent way. Heaven help these great confederations of free people. May they continue to prosper, and to go on in all that makes for real strength of State, to maintain in all its radiance their bright example.’”

Only a few evenings ago, in Toronto, an address was given on this question by a speaker who has been behind the scenes, which was exceedingly well received. I quote from a clipping:

“In a few glowing sentences he described an interview he had had with Sir Edward Gray ‘the greatest British Foreign Minister since Palmerston,’ and an ‘ardent lover of peace,’ while the negotiations were proceeding as to the disarmament proposals. Sir Edward firmly took up the position that no other nation had the right to prevent Britain from discussing so important a question as that of armaments, and that if public opinion was to be educated up to the point of recognizing the need of disarmament, there must be discussion before any practical steps in that direction could be taken. Unanimity on the point was never expected at the Hague Conference, but that was no reason why the matter should not be discussed.”

The banner province of Canada is, I fancy, admitted by all to be Ontario. Our Ontario Government unanimously passed the following resolution on the 17th of March last:

“Whereas, it is expected that a second international Conference will soon assemble at The Hague, and it is announced that forty-six Powers

will meet to discuss questions of mutual interest, instead of twenty-six, as at the first Hague Conference. And

“Whereas, it is a great and noteworthy fact that this will be the first occasion on which the civilized nations of the world have met together in a time of peace of their own free will to legislate with reference to their mutual relations. And

“Whereas, the British Government and House of Commons have taken a deep interest in making the program of the coming Conference practical and useful in promoting the welfare of humanity. Therefore be it

“Resolved, That the Legislature of Ontario heartily approves of and urges three main measures which will greatly conduce to the peace and welfare of the world, viz:

“A plan by which the Hague Conference may become a permanent and recognized congress of the nations.

“A general treaty of obligatory arbitration for the acceptance of all the nations.

“A plan for the reasonable reduction of armament by concurrent international action.”

I believe our other and rapidly growing Provinces are equally sympathetic.

This, I think, in brief, gives some idea of Canadian sentiment on this great question. (Applause.)

MR. A. W. DICKSON,

DELEGATE OF THE SCRANTON (PA.) BOARD OF TRADE.

Mr. Chairman, Mr. Smiley, Ladies and Gentlemen: Scranton is very much alive. I am only sorry it has not a more live representative, but it certainly believes with all its might in the principles about which we have been talking at Mohonk. We have talked to-day about what is the attitude of the business men. Mohonk sends these invitations to the business men. They come up here and they get the spirit of this place, and they go down to their organizations and it is supposed they fill them full of the Mohonk sentiment in regard to arbitration and all these good things that are talked about here. We sit at the feet of the brainy people here and we take home what we can bear of it. And it is enough, it seems to me, for us to come back here from our several places and say, “Me, too!”

But, ladies and gentlemen, the “Mohonk Idea,” the “Peace Movement,” the “Hague Tribunal” are laden with interest and potent in consequences for the world. What an object lesson for a time when men cry, Peace, Peace, and there is no peace. Never since man was created has the machinery of war been so mighty and destructive, never has the cost of armament been so much a drain upon the resources of the nations as now, and the strange anomaly exists of Conferences, Congresses, Parliaments, Associations and individuals talking peace while the nations, big and little, are constantly increasing their implements of war.

But "a little leaven leaveneth the whole lump." I have confidence in the power of public opinion and in the educational force of such meetings as this. It was only a few godly men who laid the foundations of foreign missionary enterprise and it now engages the best thought of the religious world.

It was only a handful who started the great anti-slavery crusade, but it spread like a flame of fire until the phrase "A black man has no rights which a white man is bound to respect," although uttered from the Supreme Court of our liberty-loving country, is internationally false.

Those whose forefathers gave of money or time or even life for such great causes can be proud and happy with so noble a heritage, and my friends, our children and our children's children will hark back to Mohonk and these Conferences, beginning in the love and faith of Mr. Smiley and a few loyal helpers, but growing in influence and power year by year, and rejoice in the work accomplished for the Peace of the world and the Glory of God.

MR. JAMES TALCOTT,

DELEGATE OF THE NEW YORK BOARD OF TRADE AND
TRANSPORTATION.

Mr. Smiley, Mr. Chairman, Ladies and Gentlemen of the Conference: I have the honor to represent the New York Board of Trade and Transportation, one of the oldest and most influential bodies in the United States. It has always taken a very lively interest in the matter of international arbitration. It was among the earliest of the organizations to give its influence by the adoption of resolutions and by co-operating with the Committee of this Conference which started this movement a number of years ago. It has repeatedly endorsed the action of this Conference and of the International Peace Congress and was represented by delegates at the Congress held in Boston in 1904. The delegates of the Thirteenth International Peace Congress were entertained at a reception given by the New York Board of Trade and Transportation at the Hotel Astor, New York City, on October 11, 1904. A number of times the Board has sent its resolutions to other organizations throughout the country and to members of the United States Senate and the House of Representatives. We have among our standing committees a "Committee on International Arbitration," of which the Hon. Oscar S. Straus has been the chairman until recently. We very actively advocated a general arbitration treaty between the United States and Great Britain early in 1904, and we have an autograph letter from the late John Hay, then Secretary of State, acknowledging our action in the premises. We are always happy to advocate any measure which will advance this most important cause.

MR. WINFRED J. SMITH,

DELEGATE OF THE ROCHESTER CHAMBER OF COMMERCE.

Mr. Smiley, Mr. Chairman, Ladies and Gentlemen: I consider it a great honor to be the guest of Mr. Smiley on this occasion and to be the bearer of congratulations and good wishes to this Conference from the Rochester Chamber of Commerce.

The organization which I represent has adopted strong resolutions favoring international arbitration. A delegate was sent to the recent Peace Congress in New York, and our Chamber stands ready to do anything in its power to push forward this great movement.

I believe that the international business interests of the world are a very powerful deterrent against war, probably the most powerful at the present time, but I maintain that it is through the education of the children of all nations that international arbitration is finally to be brought about. For the past eight years I have been the voluntary Superintendent of the Boys' Club, at the Brick Church Institute, in Rochester. I have several hundred boys under my care, with whom I have spent four evenings each week. Our membership is made up of boys of all ages, without regard to race, creed or color.

As a result of this experience I am personally satisfied that through education the children of all nations will play together and later will work and do business together without war.

We men and women are only grown-up boys and girls, but our habits of life, in most cases, are set. Let us therefore mould the children of all nations while they are in a plastic state, thereby bringing about not only international arbitration but universal peace.

MR. T. GUILFORD SMITH,

DELEGATE OF THE BUFFALO CHAMBER OF COMMERCE.

The Buffalo Chamber of Commerce sent a delegate to this Conference in 1906 and again in 1907. It is gratifying that there are more delegates this year than there were last. They come not only from the United States, but also from Canada, and the presence here of the Ambassador from Mexico makes the representation from the North American Continent more complete than ever.

What we now desire, it seems to us, is that the South American Nations should be aroused to the importance of this movement, and send delegates or request the representatives of their respective Republics in Washington to follow the example of the Minister of Bolivia and to come and take part in the proceedings and lend dignity and emphasis to the whole movement.

The presence here of the Secretary of the International Bureau of American Republics adds importance to this movement, and I think we may reasonably hope that in the very near future South America will join with North America in presenting the views of the Lake Mohonk Conference to future Hague Conferences.

It seems to me also, Mr. President, that when it is impossible, for any reason whatsoever, for a Chamber of Commerce to send a personal representative to this Conference, perhaps they could be persuaded to put their views of sympathy in writing, and the same could be read here, and while not quite as emphatic as if a personal representative were present, yet the written word could not fail to add its weight to the importance of the whole movement. What strikes the Chamber of Commerce of Buffalo as being particularly desirable is that the whole of the two continents, both North and South America, including Canada, the United States, Mexico and all the South American Republics, shall join hands and be one in reference to peace all over the world, and make their voice still more important than it has been, and endeavor to have the Hague Conference look to this Conference for moral aid and support at every ensuing meeting.

MR. CHARLES B. MURRAY,

SUPERINTENDENT AND DELEGATE OF THE CINCINNATI CHAMBER
OF COMMERCE.

The commercial body which I represent, the Cincinnati Chamber of Commerce, was organized not only to facilitate business operations but also with the important object of arranging for amicable adjustment of differences arising in business transactions, through the means of arbitration. This principle of peaceful settlement of disputes has proven highly serviceable and satisfactory, not only in reaching results consistent with understood equities in such cases, but in serving to preserve friendly relations between disputants. This principle of arbitration of differences stands as among the most worthy of plans governing men in their dealings with each other. It is a principle which rises in importance when applied to the greater interests and concerns of international affairs, where not only propositions having monetary significance are to be considered, but where the lives and condition of members of the human family are at stake. The commercial organizations invited to participate in the movement for international arbitration can appropriately act in support of such a cause. The organization which I represent was among the first, if not the first, to appoint a Standing Committee to consider questions relating to international arbitration. It was the first

to introduce a proposition in commendation of the movement for international arbitration to appear on the program of subjects for consideration by the National Board of Trade. It can be expected to continue to give support and encouragement to the great and eminently humanitarian work which the Lake Mohonk Conference has so influentially promoted.

MR. HARRY T. ATKINS,

DELEGATE OF BUSINESS MEN'S CLUB OF CINCINNATI.

As a delegate of the Business Men's Club of Cincinnati, Ohio, and in accordance with their rules, I shall render a report, a printed copy of which, including the resolutions adopted by this Conference, will be in the hands of over one thousand representative business men of Cincinnati within the next few weeks, thus supplementing and recalling to their attention the press reports of your Conference, making of more than passing interest the numerous magazine articles published, and engaging their sympathy in a movement of practical national importance.

From no higher plane of thought, with no more powerful, grander reasoning could universal peace by arbitration be presented than at this Conference.

The office of the business man is one of active work in the distribution of the knowledge and information gained, as well as the creation of public sentiment.

As President of the Ohio State Board of Commerce it was my great pleasure to preside at their Annual Assembly in 1903 and to endorse the proceedings of your Conference the same year. These printed reports were sent from the capitol of the state to every business organization in Ohio.

The Peace Society of Cincinnati has drawn from the ranks of the Business Men's Club its President, Secretary and Treasurer, and many of its Vice-Presidents as well as its speakers who have made able addresses to the high schools and to the University of Cincinnati. Through their influence exercises were held in all the public schools of our city on the 18th day of May, making of this day an anniversary and enlisting the boys and girls of this generation as future advocates of peace.

MR. FRANK D. LALANNE,

PRESIDENT AND DELEGATE OF THE NATIONAL BOARD OF TRADE
AND DELEGATE OF THE PHILADELPHIA BOARD OF TRADE.

Mr. President, Ladies and Gentlemen: While the Philadelphia Board of Trade has been before represented at the meetings of the Lake Mohonk Conference on International Arbitration, this

is the first time I have had the honor and great pleasure of serving as a delegate from that organization.

The Board's representatives in the past have been greatly impressed with the importance and far reaching effects of your proceedings and the high character of those attending from every walk of life. We believe that much good for the cause has resulted. I am convinced that the proceedings of this meeting will crystallize the business sentiment of the country in opposition to war and its entailed losses, both of life and property.

The business man fully appreciates that the industrial, commercial and financial interests, not alone of one nation, but of all nations, are so intimately connected that the prosperity of any one nation must in a large measure be reflected in the business relations of other nations. The rumors of a threatened or impending war mean a disturbance to commercial relations that will bring panic where confidence and prosperity reigned. What greater permanent asset for future prosperity can the business interests have than a firm conviction that the difficulties arising between nations will be settled by arbitration, and that war, with all its disturbing elements and its inevitable burdens on industry and commerce, will be avoided without injustice or dishonor.

The Philadelphia Board of Trade, through its committees and officers, has redeemed the pledges of its former representatives to support and further the purposes of these conferences. Your previous recommendations have received its strong endorsement. The President of the United States and the National Legislature have been officially informed of the attitude of the Quaker City upon the question of international arbitration and of the confident hope for the wide spreading and beneficial results to these interests for which the trade bodies here represented speak.

As President of the National Board of Trade, representing that organization in this Conference, I tender you its greetings and am pleased to say that at its last meeting held in January of the present year, a preamble and resolution were adopted endorsing in the most emphatic manner International Arbitration as a substitute for war in the settlement of international disputes. The National Board also endorsed the resolution passed by your Conference held last year.

MR. A. WARREN PATCH,

SECRETARY AND DELEGATE OF THE NATIONAL LEAGUE OF
COMMISSION MERCHANTS OF THE UNITED STATES.

Mr. Smiley, Mr. President, Ladies and Gentlemen: "All wars are follies, very expensive, very mischievous. When will mankind be convinced of this and agree to settle their differences by arbitration?"

Since Benjamin Franklin uttered those words the world has grown larger and, surely I can say, better. And yet his question has not been fully answered, but such gatherings as these bring the day nearer for the settlement of disputes between Nations by arbitration and without the follies of expensive and mischievous wars.

This is the second time, Mr. Smiley, that the National League of Commission Merchants has had the honor of a representative at this Conference. And, as an organization composed of business men, we stand solidly for arbitration of differences.

At its last annual meeting the League adopted resolutions and forwarded to the President and to the Secretary of State, requesting that the delegates to the Hague Conference should be instructed to advocate the three measures unanimously recommended by the Twelfth Lake Mohonk Conference.

The League feels that much depends on the Hague Conference; that every possible effort should be used to make it a permanent and recognized congress of Nations with advisory powers, and that it should be urged to provide neutral zones for the protection of commerce. The members are fully aware that the great burdens of carrying on wars demoralize all business enterprises and must be avoided for the good of mankind, and believe that the controversies between nations should be settled without recourse to arms.

MR. A. B. FARQUHAR,

DELEGATE OF THE NATIONAL ASSOCIATION OF MANUFACTURERS.

War cannot finally disappear from among men until the peace-ideal has dispossessed the war-ideal in the individual mind, but, within the scope of the practical, international arbitration is the most suitable and effectual method of maintaining international peace. The National Peace Congress, a month ago in New York, did not content itself with preaching the loveliness of peace as contrasted with the horrors of warfare, but put the arbitration method foremost in its admirable resolutions because that is something in our power to advance now, by a discreet and cautious, but firm, courageous and tireless advocacy.

Fully appreciating the commanding importance of the Hague Conference, the National Association of Manufacturers joins the New York congress in appealing to it: first, to give itself a more permanent character by making provision for regular renewals of its meetings; secondly, to confirm and extend the powers of the arbitration tribunal; thirdly, to provide for arbitration by disinterested powers in cases not automatically coming before the tribunal; fourthly, to secure private property at sea in time of hostilities; fifthly, to take "decided action towards the

limitation of the burdens of armaments"—the avowed purpose of the original Hague Conference in 1899. The first suggestion of such action should be made, and the first practical step in it should be taken, by some powerful nation which is less than the others in the thick of international complications, and there is none so well fitted for it as our own. There is good ground for confidence that any move in that direction by our delegates would be warmly supported by the Campbell-Bannerman government in Great Britain. We most earnestly desire to see these recommendations adopted this summer at The Hague. All of them, if possible; some of them anyhow, and the more the better.

MR. RALPH S. PAGTER,

PRESIDENT AND DELEGATE OF THE NEW HAVEN BUSINESS MEN'S ASSOCIATION.

The New Haven Business Men's Association realizes that the Mohonk Conference has not merely been aiding the progress of arbitration, but has been advocating the greater cause of humanity itself.

We realize that the eyes of civilized mankind to-day turn to a future rich in promise of universal peace on earth, to the time when men shall spend more of effort and money on the acts of peace than on those of war, when the expensive burden of great armaments of all nations shall be lifted from the shoulders of the world's workers.

We pray that the endeavors of the Conference to spread the success of arbitration be prophetic of the realization of the universal peace of mankind, and the ending forever of the resort to warfare which works such wreck with brief mortality.

MR. W. H. TREEN,

PRESIDENT AND DELEGATE OF THE LYNN BOARD OF TRADE.

International peace will come as other great reforms have, when commercialism demands it.

The ordinary business man wants peace with or without honor. Business to-day is run as a machine and the business man will make money with either peace or war. Certain commercial men, like certain other men, help to create war because they see a chance to reap an immediate harvest for themselves. The ordinary business man does not study very deeply into literature, nor keep apace with the trend of ethics; he has his hands full, selfishly financing industries, avoiding labor troubles, and has in the past been quite susceptible to blackmail to obtain peace.

Of late, the large business man is interesting himself in methods of securing permanency of peace in his business, and when public sentiment arouses his public spirit in international peace you have secured an ally worthy of your association who is capable of devising ways and means of furthering this movement to a successful conclusion.

It must be shown to the coming captains of industry that there is something higher to be obtained than accumulations of wealth above the necessities of life which creates a trusteeship that leads to dangers for those amenable.

Literature, dealing with the cause, short and to the point, mailed at frequent intervals to the leading commercial bodies, will do much towards interesting the commercial world.

MR. CHARLES C. HOYT,

DELEGATE OF THE BOSTON MERCHANTS' ASSOCIATION.

It is an honor to come to this earnest convention of high aims and purposes as a representative of the Boston Merchants' Association.

According to the *Albany Argus* of the 22d, as a business man I am representing a "substantial, unemotional and eminently practical organization," and ought, therefore, to indulge in no rhetoric, but take the business standpoint. The business interest is certainly opposed to war and waste. There can be no argument as to the vital interest of the banker, the manufacturer and the merchant in the maintenance of peace, which spells prosperity for the individual of the country. The pertinent question of the hour is how many of the thousands of business men belonging to the organizations here represented have a real live interest in this question of international arbitration? How many of them realize the insurance arbitration offers against war? Arbitration corresponds with the slow-burning or fireproof factory, the sprinkler equipment, the night watchman, the credit insurance agency; but too few business men recognize or realize it.

It is now the proper time to push the campaign of education which will arouse the interest of and enlist the business men of the country in a cause so important, not only to their material welfare, but to the moral and spiritual advance of the whole human race.

In too many instances, the active business man, cribbed, cabined and confined by daily routine, denies himself the wider outlook. The great and beautiful pattern of national life and progress, into which the tiny thread spun by the individual is being wrought, is not readily seen by him. It is the high privilege of delegates, representing commercial organizations, to take from here clear,

forceful and convincing reports showing the progress already made, the present needs, and the ultimate goal. A brief summary to mail to each member should be prepared.

Much may be gained by publicity. There are, thank God, living editors who believe and act upon the principle that the issues of journalism are grave and important. Such journals can be depended upon to take a sane view when the passions and prejudices of the people are being aroused by the yellow sheet, and they should receive and deserve the support of business men. By their influence this movement can be, and is being, brought into a publicity which commands the attention of the thoughtful. From the business standpoint, publicity must first arrest the attention, then arouse the interest, and thus create the desire for the ultimate adoption and success of the universal arbitration to forward which this Conference has met.

At the present time many of the industries of the country are shorthanded. Men who in times past were food for powder are now on the far-flung line of the civilized forces. The brawn and vigor of manhood are laying the network of steel rails which gridirons the country and annihilates distance. They are at the plough and in the great factories. Thence come by the arts of peace the necessities and comforts and luxuries of living, the humanizing of mankind, the ever-increasing advance from the primeval barbaric fight for existence. Let us have continued peace by arbitration, and the consequent free and protected right of the individual to work out his or her destiny. For the banker, the merchant and the manufacturer are building better than they know, when, by the extension of trade and commerce with our neighbors across the sea, they are multiplying ties which make for peace, and will render more and more difficult a resort to arms instead of The Hague, and so consciously and unconsciously must this great cause go forward since it is God's work, and we are working for and with Him.

WILLIAM B. JONES,

DELEGATE AND SECRETARY OF THE ALBANY CHAMBER OF COMMERCE.

We have again ascended to the mount of privilege and are once more permitted to hear echoing through the valleys and over the mountains the call for peace, a call that grows stronger and clearer with each succeeding year.

We have come as students—with receptive minds and open hearts, to sit at the feet of specialists in the art of peace—to listen to their words, and profit by their experiences. We realize as never before that practical, hard-headed business men are awakening to the fact that war paralyzes industry and trade, frightens

capital and stops the natural course of commerce, and we further realize that these same thoughtful business men are beginning to admit that the principles of international arbitration expressed in these Mohonk Conferences are decidedly practical.

What is our present duty then as representatives of the commercial organizations of the country?

First—To learn. What is International Arbitration? Why should I be interested in it? What can I do to help advance this great cause? These questions are before every one of us. I will not attempt to answer them; specialists are here to do that, and in the gracious invitation of our honored host we were bidden to come and listen and learn.

Second—To go home and practice and preach, that others may know that the star of International Arbitration is rising higher and higher with each succeeding year, and that the nations require peace for their stability and growth. We are beginning to see the vision; we see it in the storm cloud, we see it in the sunshine; it is the same vision the angels saw long ages ago, the vision that brought forth the song, "Peace on earth, good-will to men." If we do our duty, if we are faithful to our trust, we will be advocates of the cause of International Arbitration, and in every possible way bring into our ranks the business men of this country of ours as believers in, and workers for, the cause for which this Conference stands—"the peace of international justice."

Fifth Session

Friday Morning, May 24, 1907

THE CHAIRMAN: The first business of the session will be the reporting of the Platform of the Conference by the Chairman of the Business Committee. Consideration of this report will be proceeded with under the five-minute rule until the hour of eleven, when the question on the final adoption of the platform will be put to the Conference.

I now present the Chairman of the Business Committee, DR. SAMUEL J. BARROWS.

DR. SAMUEL J. BARROWS: *Mr. Chairman, Ladies and Gentlemen:* Perhaps some of you may have heard the noise of hammers and may have thought there was some carpentry going on outside; but it has all been in Mr. Smiley's parlor, and we have done our hammering and our hewing and joining. To some politicians this is rather melancholy work sometimes. Every nail they put into a platform sometimes seems to them as if it were a nail in their own political coffin. It is pretty hard to make a platform on which they can stand and which they can support at the same time. It is hard for a man to be under a thing and to be on top of it at the same time. But we have not found that difficulty. We are not here to make a platform to support us; we have rather adopted something which we may all support and which is to be, as we think, a support for our civilization. I was very glad in Washington that the Society of International Law, in its first meeting there (the Association which was born here at Mohonk), in discussing the question of the exemption of private property at sea, asked not whether this was something that would benefit the United States but whether it would be a gain to our civilization. So this committee have taken this large, wide, world view of the questions presented. We have tried also to take a practical view. It is quite evident that some questions that are more or less academic may be or could be brought up at The Hague. We have tried to avoid academic questions and all questions of precedent, and we have confined ourselves mostly to a statement of principles and to some measures by which these principles may be realized. We are quite certain of the result. During the dark time of the Spanish war, when everything was cloudy and it was not easy in the fog to see the next step, Mr. McKinley said to me, "Mr. Barrows (and he said it with great impressiveness), I want to take the next step." We are here trying to take the next step, not a step backward or a step side-

ways but a step forward, and we feel confident that the next step is in the line of the millennium. If the five things we present here to-day for adoption at Mohonk could be adopted by the Hague Conference, we are sure the millennium would be pretty near, coming not by way of a flying machine, but step by step proceeding in the line of our civilization and moving toward ideals of international justice.

Mr. Chairman, without further delay, let me read the platform itself.

(The platform as here presented is printed as it was read by the Chairman, later in this session. The platform as adopted will be found on pages 7 and 8.)

THE CHAIRMAN: Dr. Barrows, from the Business Committee, reports the platform, which has been read, and on behalf of the Committee moves its adoption.

As the first speaker to the motion it is the great privilege of the Chair to recognize HON. J. D. LONG, ex-Governor of Massachusetts.

HON. JOHN D. LONG: I rise for the purpose of seconding the motion which has just been made. It seems to me that the cause of international peace and arbitration found admirable expression on the first day of our Conference in the opening address of President Butler and the paper of Dr. White. By referring to these I do not mean to ignore the other also admirable papers which have been read and speeches which have been made. I cite them because, as I say, I think they sum up the cause. The former, President Butler, stated with a remarkably clear and sane suggestion the present advanced demand of our reform. The latter, Dr. White, out of his most valuable experience as a delegate to the first Hague Conference, and also out of his diplomatic training and his great familiarity with the representatives of foreign powers and the feeling of the constituencies which they represent, stated the practical difficulties in the way of some of the specifics; for instance, the limitation of armament, the discontinuance of inventions tending to improve the destructive power of weapons of war, and also a permanently sitting tribunal. In other words, taking those two papers as representing the attitude of this Conference, I think we are on the right path; on the one hand holding up the standard high, and educating public opinion to it; on the other recognizing that progress is necessarily slow and must be taken a step at a time. The first Hague Conference was a splendid step. The second, so soon to be held, will be the next and an equally and perhaps more important step. It will not achieve many definite, specific things,

but it will achieve some, and best of all it will insure the growth of a right public international feeling on this subject. It will accumulate the swelling force of that public opinion, the ultimate effect of which will be the full reform.

Now it is in that spirit that I second the motion to adopt this platform. The platform is drawn in that spirit. It recognizes that while the field for discussion is large, the field of action must necessarily be limited. Peace is a most desirable thing, but with human nature as it is, we cannot expect the millenium of peace at once. In the language of the old orator who used to say, "Gentlemen may cry 'Peace! peace!'" but while I will not say there is no peace, the way to it is a hard road to travel. Even St. Paul had this view. The twelfth chapter of Romans is familiar to you all; I cannot repeat it word for word, but I remember that in almost every injunction he speaks imperatively, for instance, "abhor that which is evil and cleave to that which is good," thereby recognizing that his hearers could comply with his injunction if they saw fit. "Be kindly affectionate to one another." "Let love be without dissimulation." But he makes one exception, and recognizes the infirmities of human nature when he says, "If it be possible, as much as in you lieth, be at peace with all men." (Laughter.)

We trust our delegates will go to the Hague Conference recognizing, as our President I think has suggested to us, the difficulties in the way, but determined to secure some results. Of action on the inviolability of private property at sea during war, we feel very confident, and also of the adoption of a general treaty for general arbitration. With regard to some other matters which have been urged and which in former times we have presented, we recognize great difficulties. We hope they will be open to discussion. We shall not be disappointed altogether if the final steps are not taken.

I therefore join very heartily in this motion. (Applause.)

THE CHAIRMAN: General discussion under the five-minute rule is in order. The Chair recognizes MR. EDWIN D. MEAD, of Boston.

MR. EDWIN D. MEAD: *Mr. Chairman*, I should like to move a single amendment to this admirable platform, and that is the incorporation of the following statement:

"The Conference expresses its great satisfaction in the support by the President and Secretary of State of the United States of the position of the British Government, endorsed by this Conference last year, in behalf of concurrent action at The Hague looking to the general restriction of armaments, and earnestly hopes that this subject will be freely and fully discussed at the coming Hague Conference."

The Chairman of the Business Committee at the opening session of the Conference expressed the hope that in our deliberations, as in the deliberations of the peace party generally, there might be concentration. I think there has been nothing submitted in the way of the formulation of a working platform for the peace party that is so worthy of being concentrated upon by all nations as the platform of the Interparliamentary Union, made up of more than two thousand of the trained legislators of the world, adopted at its London session. With the six demands of that platform you are familiar. Three of them have been included in our platform this year. Four of them were included in our platform last year. One has been omitted; it is that the principle of which I have embodied in the statement here read. It will be said that the principle of this resolution which I offer was unanimously endorsed by the Conference last year. So were all the others; and the special reason why it seems to me that this should be included now is that it is the only resolution, the only position, of the Interparliamentary Union which is under fire in reactionary quarters. In its behalf it was, as all remember, that the first Hague Conference was called; and when the first Hague Conference adjourned without action upon it, it was with recommendation that in the different nations careful thought should be given to it, in order that when another conference assembled it should be with something distinct and definite to offer on this subject. It will be said there are difficulties in its way. We recognize this. There is nothing important before the world which does not involve difficulties. There are many trivial difficulties suggested, such as how this would affect the case of Russia, whose armaments, especially naval armament, have been practically annihilated. That touches an abnormal and exceptional situation, with which the representatives at The Hague can safely be trusted to deal. The general subject is not being approached vaguely. Men going to the Hague Conference are not without definite propositions. It is only necessary for me to recall to the attention of the members of this Conference the fact that the English people go with the proposition of the strong committee of jurists and others, whose chairman was, I think, Sir John Macdonell, suggesting that the average budget of the last five years be made the budget limit of the next five years. It is not for us, however, to suggest ways and means. It is for us to endorse the principle. The difficulties do not appall the practical politicians. This principle has been endorsed unanimously by the Interparliamentary Union, by the Prime Minister and the Secretary of Foreign Affairs of Great Britain, and by the President and Secretary of State of the United States. Many here will remember that Secretary Root, in strongly urg-

ing it at the New York Congress last month, earnestly requested the makers of public opinion in America to go beyond the position of governments, that our government might go to The Hague with strong popular support. You will remember that this demand was the keynote struck in this Conference last year by its Chairman, Hon. John W. Foster, one of the most experienced and conservative men in the peace party of America, and that he emphasized the fact that nothing could be done except by concurrent action, however ready any individual nation might be to move in the matter. You will remember also that we not only unanimously incorporated this in the platform, but made it the subject of a special petition to President Roosevelt asking him to instruct our delegates to The Hague in accordance therewith. President Roosevelt and Secretary Root have acted in accordance with our desire. For us to come here and not record our gratitude and give them our support would be, it seems to me, to let this Conference drop behind the advanced and courageous position it took last year. America is especially the country to take the lead in this matter. President Eliot, in his recent speech in Canada, called attention to the fact that America and Canada had illustrated how much safer countries are in treating each other like gentlemen and in going unarmed than with squadrons and forts along their frontier. Let us, as representatives of public opinion, take the prophetic position and support the American and British governments in this matter.

THE CHAIRMAN: Mr. Mead, of Boston, moves that the pending report be amended by inserting or adding the declaration which he has read.

Further discussion is in order on the original proposition or upon the amendment.

DR. EDWARD EVERETT HALE: I hold in my hands the resolution passed unanimously by this body a year ago. "*Resolved, That the Twelfth Annual Lake Mohonk Conference*" proposes three measures, of which the third is:

"A plan for the restriction of armaments and if possible for their reduction by concurrent international action."

That is what this Conference committed itself to twelve months ago, and that has been sent over the world, and that very language, I think, has been adopted in the papers alluded to by Mr. Mead.

HON. LOYED E. CHAMBERLAIN: I rise for the purpose of suggesting an amendment, which in itself contains seven words. I am not on my feet for the purpose of discussing the proposi-

tion, because before this assembly it was adjudicated upon last year and incorporated in the platform; but for the purpose of stating to the Conference a fact, and then a series of facts. It is for the incorporation in the platform by amendment of a proposition advanced here last year, namely, that of the "neutralization of trade routes of the ocean."

I read from the platform of last year:

"Among other subjects of immediate importance the many unsettled questions arising out of maritime warfare, including the exemption of private property from seizure at sea and the neutralization of ocean routes, are respectfully commended to the consideration of the Hague Conference."

And I ask that this may be substituted for the proposition advanced this year.

I want to say that the Massachusetts State Board of Trade, as I indicated last night, armed with this platform of last year has been carrying on its work. As I stated, I think, at the Fifteenth Annual Peace Conference held at Milan, Italy, this same proposition was carried, or substantially carried, recommending to The Hague and to the governments of the world a study of this proposition. At the Conference of the International Law Association held at Berlin in the same month it was also recommended as a subject worthy of study. It was passed by the Massachusetts Legislature, and acted upon favorably at the National Peace Conference held in New York a few weeks ago, and I make the suggestion that we take no step backwards, nor a side step, but continue to advance. It seems to me it would be proper for this Conference, which virtually launched this proposition in a public way by incorporating it in the platform of last year, to continue it in its platform and in the same phraseology adopted last year; that we should promulgate it as developed to the Hague Conference and the world as a subject worthy of that Conference. Immunity of private property at sea is not enough, because when that comes about, as it is bound to come, there is still existing the proposition that vessels may be seized temporarily and searched for the purpose of finding whether the cargo is neutral or otherwise. With neutralization carried out, it would leave the great highways of commerce, which are well defined across the ocean, entirely immune from the action of belligerents. I ask that the pending resolution may be changed by substituting the words incorporated in the platform of last year.

THE CHAIRMAN: Mr. Chamberlain moves that the declaration proposed in Item 4, which now reads:

"A declaration in favor of the inviolability of private property at sea in time of war"

be stricken out, and that there be substituted therefor the language used in the platform of last year, which is:

“The exemption of private property from seizure at sea and the neutralization of ocean routes.”

REV. DR. PHILIP S. MOXOM: I rise to second the amendment made by Mr. Chamberlain. The major reason for the increase of armaments is the protection of the great trade routes. The neutralization of the trade routes would remove that reason. One of the most effective steps we can take in the direction of the world's peace is in securing the neutralization of the great trade routes across the ocean.

THE CHAIRMAN: Both amendments are pending.

REV. FREDERICK LYNCH: I would like to speak a word in regard to Mr. Mead's motion. At our New York Congress last month this resolution was pretty thoroughly discussed, and it was ultimately, if I remember rightly, incorporated in our resolutions there.

Personally I have not much hope that a great deal will come from the discussion of the question of disarmament, but still it is one of the things uppermost in the minds of the world to-day, and if nothing came of it further than a mere introduction of it at the Hague Conference, that is, the question of restriction rather than disarmament, I think it will be a great step gained. It would be a step backward not to incorporate this resolution for the restriction of armaments in our platform, as we did last year. I think there is no doubt whatever but in some way it will be brought up in the Hague Conference. As I said, it is not the most important question. The questions already in the resolutions that have been read are the important things. Disarmament, as has been said here, will follow naturally after making the arbitration treaty. But I do think in our resolutions here we ought to say at least that we stand back of the general desire of our country and Great Britain, and as I understand also of Japan, in an informal way; and if I gather correctly from conversation with Baron d'Estournelles de Constant, there is also a feeling in France that this question might be properly introduced, not as a great question but as an incidental question. I think it would be a mistake not to endorse this growing sentiment of the world.

GENERAL HORATIO C. KING: The impression seems to prevail that having been a soldier in the Great War, I am consequently belligerent. This is far from correct. On the contrary, the fact that I served three years in that awful struggle and saw

it in all its horrible and indescribable features makes me the warmest advocate of peace. But I look upon this scheme of disarmament from a practical standpoint. No one or two nations will disarm voluntarily. There must be concerted action; and that will not come until there is an international court established by universal consent whose mandates can be enforced as are those of our State and Federal Courts.

The best security for peace in this or any other country is a large navy. It is a great deal cheaper to build iron-clads than to make war. To inject this feature into our proposed platform will, in my opinion, be a mistake. The Hague Conference has matter of grave concern to consider and it will never reach a decision on disarmament until it has received the consent of all the leading nations to the formation of the great International Court with competent jurisdiction and a power to enforce its decisions.

I am glad of this opportunity to reiterate that I hate war. As a proof of it, I may say that at the last meeting of the Trustees of Dickinson College, I had the pleasure of introducing a resolution for the establishment of a Department of Peace and Public Service in that Institution, the first of its kind in this country. Its aim is the dissemination of the principles of peace and comparative study of methods proposed for its practical establishment as a fundamental law of civilization. In the Department of Peace are to be taught the barbarities, cruelties and horrors of war caused by the anti-social passions that normally cause war and are invariably engendered by it. The cost in blood and treasure and the desecration of war are to be contrasted with the splendors of peace. It will insist on international arbitration and generally include all topics bearing upon peace.

No, I am not for war, I am for peace always, with honor, but I am not in favor of impracticable resolutions such as I believe those presented to be. (Applause.)

DR. LYMAN ABBOTT: I do not rise to discuss the amendments, but simply to call the attention of the Conference to the fact that there are two distinct questions. Last year we said that the question of a neutralization of ocean routes and the question of restriction of armaments ought to be *considered* at The Hague. This year we state that certain propositions ought to be *adopted* by The Hague. Those are two very different propositions. For my part I was quite prepared last year to vote that it was desirable at The Hague to consider the question of the restriction of armaments. I am not prepared to vote that The Hague should adopt restriction of armaments. Personally I do not think it is practicable for an international body to adopt any policy on that subject.

I rise simply to say that if these amendments are carried I think both should be referred either to the Business Committee, or a sub-committee, to be so incorporated in the platform as not to commit this Conference to a declaration that The Hague ought to adopt as its immediate and important first steps either the restriction of armaments or the neutralization of ocean routes, both of which are accompanied with very serious practical difficulties. I do not know how that ought to be done, but I think after the Conference has passed on these questions, the amendments should be referred back, either to the Business Committee or a special committee to put them in the proper phraseology.

THE CHAIRMAN: Dr. Abbott gives notice that at the close of the general debate, if these amendments are carried, he will move that they be referred to the Business Committee or to a special committee as to their form for insertion in the platform.

MR. MEAD: My resolution simply embodied what Mr. Abbott asked. It does not ask adoption, but simply frank and free discussion at The Hague—exactly what Mr. Abbott voted for last year.

MR. LYNCH: That is exactly the thought I had in mind in seconding the motion.

MR. ALBERT K. SMILEY: I do not think any one in this Conference is more anxious for reduction of armaments than I, but I believe that at present this proposition is impracticable. In order to have concerted action on the part of the Hague Conference there must be a definite arrangement as to how large an armament each nation shall have on land and sea. Over forty nations must agree among themselves as to these details. Germany needs a large army because she is surrounded by other nations; Great Britain needs a great navy on account of her colonial possessions. No agreement by the nations with regard to restriction of armaments is at all likely to be made. Every nation desires it, but each nation stands by itself and feels that it must be protected. If this resolution passes and if the United States takes this step at The Hague, we may be laughed at for advocating an impracticable proposition. The only way in which to bring about disarmament is to have a regular court, sanctioned by all nations, to settle disputes. When that is done, armaments will disappear, except a small force in each nation for police purposes. We might say something as to our anxiety to have armaments reduced, but I would consider it impracticable to recommend it as a proposition to be adopted by The Hague. In stating my opinion, I do not want what I say to influence the Conference more than the words of any other member.

DR. E. D. WARFIELD: *Mr. President*, one of the things we have sometimes had to lament has been too great agreement upon every topic discussed. Now I find myself in the very unfortunate position, I believe for the first time, of disagreement with our host. Permit me to say a word or two in this connection. First, let me suggest that we should never ask for the discussion of any matter at The Hague that we do not wish to have adopted. But let me say, in the second place, I do not think anything is worth while bringing up in the Conference at The Hague that does not have great difficulties with which to contend. Our very object is to remove great, practical difficulties by impressing upon the Conference that there is a large body of people willing to make sacrifices in order to secure the desired result. In the third place, we should keep certain things constantly before the minds of those dealing with these problems. We have heretofore taken up these two questions, both eminently desirable; we ought to agitate them and keep them before those whose duty it is to solve them. It has been said that of the things which a permanent tribunal will have to deal with, if it is established, is the question of limitation of armaments. Therefore it seems to me the very fact that we are urging this question will be one reason why the Conference will consider such a court necessary. Methods we may not define, but we are largely agreed that somehow, and at a not too distant epoch, the nations must find some way in which to reduce the terrible burden resting upon many of the nations of the earth because of armaments not only great, but increasing.

I do not believe there is before the world to-day any question of International Law of more importance than the neutralization of trade routes. There is nothing more likely to embroil neutral nations than the searching of ships in time of war. I therefore urge very strongly, that we embody these matters in our platform, not so much urging immediate action as calling attention to the fact that this Conference believes that they are two important questions that ought to be put in process of solution.

GENERAL HORATIO C. KING: *Mr. Chairman*.

THE CHAIRMAN: For what purpose does the gentleman rise?

GENERAL KING: I would like to offer a resolution.

THE CHAIRMAN: General King rises to offer a resolution.

GENERAL KING: I move that both amendments be laid on the table.

THE CHAIRMAN: The Chair calls the attention of General King to the fact that the effect of his motion, if adopted, would

be twofold: first, to bring to an end the debate at the moment, instead of eleven o'clock as heretofore ordered; and, second, to lay the whole question on the table, which it is certainly not General King's intention to do. Would not the end be met by action on the proposed amendment of Dr. Abbott?

GENERAL KING: I do not so understand.

THE CHAIRMAN: When you lay a pending amendment on the table, you also lay the original proposition on the table, except in the Senate of the United States.

GENERAL KING: I withdraw my motion then for the present.

GENERAL LOUIS WAGNER: With all due respect to our host and his views and with positive concurrence in the Chairman's ruling upon General King's amendment that when you lay a pending amendment upon the table you lay the original proposition also upon the table, I trust these amendments will not be laid upon the table, and I trust that this Conference will not be carried to adverse action upon the amendments offered by Mr. Mead and Mr. Chamberlain. One of the things that has impressed me most in connection with this Conference has been the fear of so many members of the Conference that we will not succeed. Mr. Chairman, I think this Conference should not first determine what it thinks is likely to be adopted and then endorse it; but it should rise higher, reach a conclusion, upon matters as they impress themselves upon it, higher than the average possibility of success at this time—so that the action had by the Hague Conference or by any future similar body, would reach a higher level than it would if we simply said, "We believe we can get only this and that is all for which we will ask."

It is said that it is impossible to restrict the growth of armaments, both on land and on sea. Nothing is impossible under certain conditions, and whilst it may be impracticable at this time to induce the United States to restrict its means of defense because of the peculiar conditions existing in this generation, the time will come when these conditions will be changed and one of the active and most emphatic causes and means for these changes will be these Conferences at Lake Mohonk.

Why, they will laugh at us, Friend Smiley has told us, if we urge a restriction of armaments. I remember, perhaps not so positively as Mr. Smiley does, that they even laughed at the Lake Mohonk Conferences some years ago; but that laughter has subsided and Lake Mohonk is looked upon with admiration. When this Hague Conference, or some other similar body, will finally adopt the plans that we have urged and discussed and favored so frequently and rightly and emphatically in this Conference, the

time will then come when they will say that the cause and the inspiring motive was the Conference at Lake Mohonk.

I hope the amendments will be agreed to, and if the language of the amendments and the language of the three propositions contained in the report of the committee does not exactly harmonize, then the suggestion made by Dr. Abbott, and approved by the Chairman, that for the purpose of harmonious phraseology the whole subject be referred back to a committee for the purpose of working it into a more harmonious whole should be adopted. In conclusion I repeat the hope that both the amendments will be agreed to.

DR. CHARLES P. FAGNANI: It is said that there would not be even such a thing as matrimony without a maiden effort. Now it has always been the glory of Mohonk that it has made maiden efforts its specialty. Mohonk makes a specialty of being in the van of every forward movement. It has not been the attitude of Mohonk to have one ear to the ground and the other occupied in flapping off flies. It seems to me that it is the very essence of the spirit of Mohonk that both amendments should be carried. We want to recommend the impractical things. The practical ones will take care of themselves. There will always be multitudes of good brethren who will see that the practical things are looked after. It is the minority, those in the van, that see what is bound to come and that announce it to the rank and file. Let not the glory of Mohonk depart; let us remember that our dear friend, Mr. Smiley, was not speaking to this particular question. He was referring to the matter of the adoption of these resolutions by the Hague Conference; Mr. Mead and Mr. Lynch have both made it very clear that what we are working for now is simply that these matters be freely discussed. Let us heartily and unanimously carry these amendments.

DR. CHARLES W. ELIOT: I suppose we are all agreed that both these objects are very desirable. They are elements in the great reform to which this Conference is committed;—no doubt about that. But the platform this year is drawn in a somewhat new manner. It urges that the Second Conference of The Hague take certain *action*. Is there a person in this room who can suppose for a moment that the Second Conference of The Hague can take *action* on either of these propositions? (Members. Yes, Yes. No, No.) Our platform, as reported, urges positive, affirmative action at the Second Conference of The Hague on five important points. We must all agree that the neutralization of routes of commerce is impossible until there is a real court at The Hague, and a force to carry out its orders. A force must see to the execution of the neutralization of routes. We have

examples of neutralization in the world already—admirable examples—Switzerland and the Suez Canal;—and how are those neutralizations enforced? When Swiss territory is to be held neutral, Switzerland puts an army of a hundred thousand men into the field; when the Suez Canal is to be held neutral, the whole navy of Great Britain enforces the order. Shall we forward the reforms we have in mind by urging action on either of these two proposals, when we all know that it is impossible for The Hague to take action? We might reasonably say, perhaps, that we ask The Hague to begin the study of a plan for the reduction of armaments. That looks possible; that looks feasible. Nothing else is feasible. Is there a person in this room who would advise Germany to consent to an arbitration on the reduction of armaments? Germany, as Mr. Smiley has said, is surrounded by alien armies which can be rushed onto her territory at a week's notice. Can the United States, off here across the ocean, in a position of singular security, propose even that Germany shall consent to a discussion of the reduction of armaments until there is an international court and a force behind the court? It seems to me, from all my experience in carrying on reforms, that the first rule for a reformer is never to urge action towards a reform till he has prepared an adequate plan of action. We have no plan of action with regard to the reduction of armaments or the neutralization of ocean trade routes. Nobody has such a plan. We ought to have an international plan before we urge international action.

HON. HIRAM R. STEELE: Much as we all desire disarmament, to urge it now, before international arbitration is established, only tends to bring us into ridicule. I believe nothing has done more to create sentiment in the country than perhaps we are dreamers and not practical business men, than this constant discussion of disarmament. I was pleased with the report of the Committee which said they were after something practical, and action instead of discussion, which I am sure will appeal to the American people. If our purpose here is to educate public sentiment, and secure support of the great body of American voters, no wiser step could be taken than confining ourselves to what appeals to the practical business man of this country. When we have accomplished what is called for by this report, disarmament may come in good time; but we should now avoid the discussion of all matters on which there is so much difference of opinion.

DR. ARTHUR J. BROWN: We do not wish to have our ears to the ground, but we do wish to keep our feet on the ground. The influence of this Conference depends largely upon the reasonableness of its suggestions. We can gain nothing, but lose much,

by committing ourselves to a visionary enterprise. We should bear in mind the question of disarmament is associated with the high moral tone of diplomacy. The United States must have greater confidence in the diplomacy of other nations. Some nations are urging peace in order to have more time in which to prepare for war. We must look forward to the time when diplomacy is based on the Golden Rule and have greater confidence between nations. Then disarmament will come.

THE CHAIRMAN: The hour of eleven has arrived, and under the rule adopted by the Conference, the question is now upon the adoption of the platform and the pending amendments thereto.

DR. PHILIP S. MOXOM: I move an extension of the time of discussion for half an hour.

A MEMBER: I second the motion.

DR. BENJAMIN F. TRUEBLOOD: *Mr. Chairman.*

THE CHAIRMAN: For what purpose does the gentleman rise?

DR. TRUEBLOOD: I rise to move an amendment, that the time of discussion be extended fifteen minutes.

THE CHAIRMAN: It is moved and seconded that the time for discussion be extended thirty minutes, to which Dr. Trueblood offers an amendment that the time be extended fifteen minutes. The first question is upon the amendment, without debate. As many as are in favor of the extension of the time for fifteen minutes will signify it by saying "Aye." Those opposed "No."

The amendment is lost.

As many as are in favor of the motion to extend the time for thirty minutes, will signify it by saying "Aye." Those opposed "No."

The motion appears to be lost. It is lost.

The parliamentary situation at the moment is as follows: The Business Committee reported the platform and moved its adoption. That platform will be read by the Chair, and the action of the Conference invited section by section. At the points where the pending amendments of Mr. Mead and Mr. Chamberlain are germane, those amendments will be offered. Meanwhile, Dr. Abbott has given notice that when those amendments are offered he will move that a vote upon them be taken to ascertain the sense of the Conference thereon, and that if the sense should be approval, the amendments be referred as to their form, either to the Business Committee or a special committee, to be authorized by the Conference.

The Chair will read the report of the Committee on Platform:

"The Thirteenth Lake Mohonk Conference on International Arbitration recognizes with profound gratitude the development of those forces which are making for international peace through international justice. The promotion of intercourse, friendship and amity among the nations, the organization of international bodies in commerce, science and philanthropy, the demand for higher standards of international morality are but preludes to greater harmony and unity among the peoples of the world.

"We mention with satisfaction among the events of the last twelve months the holding of the Pan-American Congress, the visit of Secretary Root to the South American republics, the organization in the United States of a branch society for international conciliation; the international conference for the revision of the Geneva convention of 1864; the holding at Washington of the first annual meeting of the American Society of International Law, organized in 1905 at the Mohonk Conference, and the publication of its organ, the *American Journal of International Law*; the formation of the Japan Society for the cultivation of friendly relations between Japan and the United States; the increasing disposition of nations to assist each other in time of famine and disaster; and the holding in New York of a National Arbitration and Peace Congress of far-reaching influence."

Shall the Conference agree to so much of the report as its declaration? So many as are in favor of the acceptance of so much of the report as the declaration of the Conference will signify it by saying "Aye;" contrary minded? It is a unanimous vote.

"The meeting of the second Hague Conference next month marks another epoch in the history of international development. We note with gratification that twenty-one American republics will participate therein. We urge as the most immediate and important action to be taken by this second Hague Conference the following measures:

(1) "A provision for stated meetings of the Hague Conference."

Shall this Conference accept so much as has been read as its declaration? So many as are in favor will so signify by saying "Aye;" contrary minded? It is a unanimous vote.

(2) "Such changes in the Hague Court as may be necessary to establish a definite judicial tribunal always open for the adjudication of international questions."

Shall the Conference accept this part of the report? So many as are in favor will say "Aye;" contrary minded? It is a unanimous vote.

(3) "A general arbitration treaty for the settlement of international disputes."

Shall the Conference accept this part of the declaration? So many as are in favor will signify it by saying "Aye;" contrary minded? It is a unanimous vote.

(4) "A declaration in favor of the inviolability of private property at sea in time of war."

For which Mr. Chamberlain, of Brockton, Mass., moves to substitute the language of the declaration of last year, which was:

“The exemption of private property from seizure at sea and the neutralization of ocean routes.”

The first question, in accordance with the notice given by Dr. Abbott, will be upon the acceptance by the Conference of the sense of this amendment, with a view to its reference as to form to the Business Committee or a special committee. The question is therefore upon the approval of the intent of the amendment offered by Mr. Chamberlain. So many as are in favor will say “Aye;” contrary minded? The Chair is in doubt. So many as are in favor will kindly rise and be counted. (After counting) There are 82 in the affirmative, 61 in the negative. (Applause.)

The Conference approves the principle of Mr. Chamberlain’s amendment and it is now in order to offer the motion proposed by Dr. Abbott that that amendment be referred, as to its form, to the Business Committee or to a special committee to be appointed by authority of the Conference. So many as are in favor of this reference for the purpose stated will signify it by saying “Aye;” contrary minded? It is a unanimous vote.

HON. JOHN D. LONG: I move it be referred to the Business Committee.

THE CHAIRMAN: It is moved that it be referred to the Business Committee. Is there objection? The Chair hears none. It is so ordered. (Continuing with platform.)

(5) “A declaration to the effect that there should be no armed intervention for the collection of private claims when the debtor nation is willing to submit such claims to arbitration.”

Shall that be accepted by this Conference? So many as are in favor will so signify by saying “Aye;” contrary minded? It is a unanimous vote.

Mr. Mead offers the following additional paragraph, and if accepted by the Conference, Dr. Abbott gives notice of a motion to refer it to the Business Committee as to form:

“The Conference expresses its great satisfaction in the support by the President and the Secretary of State of the United States of the position of the British Government, endorsed by this Conference last year, in behalf of concurrent action at The Hague looking to the general restriction of armaments, and earnestly hopes that this subject will be freely and fully discussed at the coming Hague Conference.”

So many as are in favor of the acceptance of the principle of Mr. Mead’s amendment, with a view to its reference, as to matter of form, will signify it by saying “Aye;” contrary minded? The

Chair is in doubt. So many as are in favor will kindly rise and be counted. (After counting) 69 in the affirmative, 83 votes in the negative. The amendment is lost. (Applause.)

The question is now upon the acceptance of the platform, with the amendment of Mr. Chamberlain approved as to substance, by this Conference as a whole. So many as are in favor will signify it by saying "Aye;" contrary minded? It is a unanimous vote and the platform is adopted.

DR. SAMUEL J. BARROWS: I am instructed also by the Business Committee to say that certain other propositions were considered by them but the Committee thought it was not necessary to put them in the platform at present; that it was more advisable to leave them over for some future Conference at Mohonk. One of these was:

"Can the lending of money to belligerents for war purposes by the people of neutral states be prevented?"

It is thought by the Committee that further discussion on that subject is necessary. Another was:

"Is it expedient to provide for the investigation of international disputes not covered by arbitration agreements by an impartial commission before the declaration of hostilities?"

It is not proposed to bind any future Conference at Mohonk by making it necessary to put them on the program, but they are made simply as suggestions for consideration.

THE CHAIRMAN: We will next proceed to consideration of the topic "Pan-American Interest in International Arbitration." It is fortunate, indeed, that to present this vital aspect of our subject we should be able to welcome high diplomatic representatives of sister nations, who by their careers at home and by their service abroad have made for themselves sure places among the important statesmen of our time.

I have the honor to present as the first speaker, His Excellency, SENOR DON ENRIQUE C. CREEL, the Ambassador of Mexico to the United States. (Applause.)

ADDRESS OF SEÑOR DON ENRIQUE C. CREEL.

Mr. Chairman, Ladies and Gentlemen: You need not wonder that a Mexican should address you in this hall where so many eminent men have spoken. Mexico during her entire political life has always shown her willingness to submit all of her international differences to a friendly arbitration. Never in her wars did Mexico play the part of the aggressor. You will, doubt-

lessly, recall that it was Mexico, conjointly with the United States, who first suggested and then obtained the awakening of The Hague Tribunal from its lethargy, thereby becoming a practical institution worthy of entire faith and confidence and to which could be entrusted the adjudication of matters of vital importance.

No one can fail to recognize the fact that the world rushes steadily onward in our times, whether it be in the solution of material problems, or political, intellectual, moral, or social questions.

It is hardly a century since electricity was looked upon merely as a curiosity, a pleasant pastime for children and people of leisure. But now, electricity is that great force which brightens our nights, gladdens our days, sets in motion the great industrial machinery, transmits to far off points the latent energies of Niagara and the streams of Sierra Madre and the Andes, transports us from one place to another, cures our ills, invigorates our bodies, making our existence more comfortable, pleasant and secure.

Less than fifty years ago a genius, one of the representatives of the Latin race—the great Pasteur—discovered the micro-organisms which weave the net of universal life. And, now, behold what marvelous studies have been made, what wondrous inventions achieved, what useful and great problems have been solved, and what vast, what splendid, what wonderful horizons alive with promises loom in the near future, all due to a laboratory victory.

Scarcely one hundred years ago the first steam vessel crossed the Atlantic and, now, if we look upon the number of ships plowing the seas, the railways speeding along in all directions, the machinery of all kinds propelled by steam, the life and untold advantages humanity has derived from that invention, we remain spellbound.

Again, it is not five years since radium was born to scientific life and, to-day, the men of science commence to partly demonstrate and partly to foresee in the discovery of a modest French chemist such immense possibilities, such extraordinary force, such powerful results, that the new product may, perchance, become an efficient factor in the transformation of the world.

The same may be said in regard to the policies, administration and relations of nations. Who would have said ten years ago that controversies between countries would be submitted to arbitration, that bloody conflicts would be prevented and a new amphictyonic council be created to hear and pass judgment on differences, heretofore settled by cruel bloodshed and loss of territory. Whoever should have suggested such a method would

have been called a visionary man, lacking in practical sense, a utopian schemer, a dreamer.

Such is the power that arbitration has attained to-day, that not only pacific discussions of a moderate nature are submitted to it, but also formidable conflicts almost on the eve of breaking out, as was the case recently between Russia and Great Britain.

The generous thought of Henry IV, the creator of the French Monarchy, of Grotius, the father of modern international law, of Kant, the great philosopher, and of Penn, the celebrated Quaker, is becoming a plain, tangible fact, which, with or without the consent of those who oppose it, has succeeded in asserting itself in the world, bringing peace and blessings to all.

This, although a striking achievement, is by no means unique nor does it lack antecedents. For a long time there has been in medicine, law and diplomacy a school which may be called a prophylactic school, whose doctrine it is to prevent and forestall rather than to repress and punish. In olden times, at the end of a bloody and costly war, the diplomats determined which were the territories to be ceded to the conqueror and what the indemnity to be paid by the conquered one. In our day diplomacy, which, according to Mr. Roosevelt, is "a school of right and truth," mediates only to prevent wars, to allay its hardships, to hasten its termination, thus preventing abuse on the part of the proud, haughty conqueror.

The greatest thinkers, the most distinguished statesmen, the men who are the pride of mankind, all join now in anathematizing war as a destroyer of activities, a mower of lives, the antagonist of industry and the enemy of the home. Count Mouravieff, Secretary of Foreign Affairs of Russia, not long ago, when transmitting the views of his sovereign, stated that the maintenance of general peace and a possible reduction of armaments were the ideal towards which the endeavors of all governments should be directed. "The financial charges," continues the distinguished statesman, "following an upward march strike at the public prosperity at its very source. The intellectual and physical strength of the nations, labor and capital, are for the major part diverted from their natural application and unproductively consumed. Hundreds of millions are devoted to acquiring terrible engines of destruction, which, though to-day regarded as the last word of science, are destined to-morrow to lose all value in consequence of some fresh discovery in the same field.

"National culture, economic progress, and the production of wealth are either paralyzed or checked in their development. Moreover, in proportion as the armaments of each power increase so do they less and less fulfill the object which the governments have set before themselves.

“The economic crises, due in great part to the system of armaments *à l'outrance*, and the continual danger which lies in this massing of war material, are transforming the armed peace of our days into a crushing burden, which the peoples have more and more difficulty in bearing. It appears evident, then, that if this state of things were prolonged, it would inevitably lead to the very cataclysm which it is desired to avert, and the horrors of which make every thinking man shudder in advance.

“To put an end to these incessant armaments and to seek the means of warding off the calamities which are threatening the whole world,—such is the supreme duty which is to-day imposed on all States.”

I do not think it amiss to stop for a moment to consider how far the noble initiative of His Majesty Nicholas II has developed and how much has been accomplished by the Hague Conference.

At first glance, one may feel inclined to doubt its results, since the armies and navies have considerably increased, on the one hand, and on the other, the Russo-Japanese war took place soon after the Conference.

With regard to the first proposition we must agree in that the creation of the means of defense are the *effect* of a *cause*—the danger of war—which still subsists, and as long as the cause does not disappear, the results are bound to continue. For this same reason the benefits of disarmament will not be effective until the principle of international arbitration has become deeply rooted, and until the several governments have grown confident of the results of such pacific means of determining a controversy.

The Russo-Japanese war was the result of pre-existing causes, and of a state of things which was fatally destined to produce such strife.

After this explanation, and coming back to the main point of my address, we must feel satisfied with the beneficent influence of the Hague Tribunal, as from the time when Gladstone advocated arbitration of the Alabama claims to this day great strides have been made both in public opinion and in the mind of the statesman. This is shown by the propaganda made by the different peace congresses, the work of the Interparliamentary Union, the four cases submitted to the Hague Tribunal by eight dignified, civilized states, and by the forty-four treaties made among nations to submit certain differences to arbitration. The meetings of the Pan-American Congresses are a further proof of this fact, which is also shown in the call issued for a second Hague Conference.

This is the reason why the distinguished statesman in charge of the Department of Foreign Affairs of my country made the

following important statement upon a certain notable occasion:

“Nor could such progress, such marked tendencies of the times fail to be effective, when we consider that they do not originate from the prevailing caprice of this or that country, nor from the opinion of one or more philosophers, nor yet from the agonizing appeal of the weak trembling before the strong and mighty, but from force itself tempered by a noble submission to what is right. The movement came from Europe, from the Czar of All the Russias, who represents a formidable military power, and in this hemisphere it originated long before in the United States of America, the most populous and most powerful nation on our continent. For this very same reason, the earnestness of this movement cannot be doubted, as it must be the outcome of a line of thought as general as it is irresistible.”

War still subsists as a relic of past ages. The organ may have suffered a modification, but the function still lies latent, a terrible menace.

The peoples who came before us needed war, as they did not know other means of attaining justice, since the geography of the world had not been determined, and war was the only means to satisfy the rights of conquest and their ambitions for power and wealth.

This does not apply to the present times. As opposed to the old civilizations, which were essentially artistic, scorning manual labor, frugal and poor, modern civilization is industrious, rich, full of necessities, based principally on the extent of scientific knowledge and habits of labor, order and economy.

Therefore, war which brings with it stagnation of capital, destroys human life—valuable as any other labor-producing factor—suspends circulation, decreases consumption, is in our modern life illogical, and everything tends to its disappearance. In the meanwhile the tendency is to reduce the effects of disputes, to minimize the dangers of armed conflicts and to settle, by means of arbitration, the large majority of the difficulties that may arise between the nations of the world.

In this connection, and in order to show the awful immensity of the evil done to mankind by war, allow me to present a few statistics:

The loss of life in all the wars of the world is estimated at 15,000,000,000, or ten times the present population of the world. In the last century alone, mortality through war is estimated at 14,000,000 deaths. The Napoleonic wars represent the sacrifice of 6,000,000 men, and here, in the United States, the Civil War is responsible for about 1,000,000 deaths; 225,000 died in the Franco-Prussian war; 100,000 Englishmen and 25,000 South Africans were killed in the wars of England against the Republics

of Transvaal and Orange. The Russo-Japanese war cost the lives of 550,000 men.

Coming to the expenses of the principal wars, I shall only mention that the cost of the campaigns of Napoleon is estimated at \$15,000,000,000; the Crimean war at \$1,666,000,000; the Italian war of 1859, \$294,000,000; the Civil War in the United States, including pensions and other expenses, \$13,000,000,000; the Austro-Prussian war of 1866, \$325,000,000; the Franco-Prussian war, \$3,000,000,000; the Russo-Turkish war, \$1,100,000,000; the South African war, \$1,300,000,000; the Spanish-American war, Cuba and the Philippines included, \$800,000,000, and the Russo-Japanese war, \$1,735,000,000.

The annual cost of armed peace, according to the Bulletin of Military Notes of the United States for 1904, amounts to \$1,665,000,000.

The largest portion of the debts of nations is the outcome of wars and the necessary expenses to maintain their respective armies. The total indebtedness of the principal countries of the world, according to the Bureau of Statistics, United States Department of Commerce and Labor, amounts to \$34,633,164,406, and the interest on this enormous debt exceeds \$1,000,000,000 per annum.

These figures, representing the number of men sacrificed in armed conflicts, the cost of the great wars of the world, the amounts invested every year for the maintenance of armies, the enormous debt contracted by all the nations, make an appalling picture, which ought to appeal to our better judgment and our energies, urging us to continue our work for peace by means of international arbitration.

As for Mexico, I have to reiterate the statement that she has always upheld the principle of international arbitration. We do not believe, in Mexico, that the time is ripe for unrestricted arbitration as a means for the settlement of disputes, but we believe that certain limitations should be established in such cases as those involving territorial integrity and national honor. Of course, it must be understood that our aim is to arrive at the specification, in unmistakable terms, of those cases affecting national honor, by avoiding ambiguous, general and metaphorical phrases such as *matters of vital importance*, *subjects involving questions of a special nature*, and other similar expressions which, in the majority of cases—as is well known—are nothing but a mask behind which bad faith and a quarrelsome spirit lurk.

Later on, when by the number of adjudged cases, the methods established and the results accomplished a perfect knowledge of the system is obtained, it may seem prudent then to continue the work until the high and noble ideal of justice has been attained.

In my country also—and in saying this I am confident that I am rightly interpreting the general opinion—the desire exists to see the doctrine of the distinguished Secretary of State, the Honorable Elihu Root, prevail, that is, that the armies and navies of the world must not be used to exact by force the payment of debts contracted by the claimant powers, leaving such extreme methods for cases of denial of justice and evident and notorious bad faith. Mexican statesmen have struggled for over fifty years against such methods fraught with arbitrariness. The protests entered by different secretaries of foreign relations of my country against Napoleon's intervention and the French claims of the time of Louis Philippe are still fresh in the memory of all.

To compel, by force, the payment of a debt, when the person or the State who loaned the amount in question were fully cognizant of the economic and political conditions of the borrower, and his facilities for discharging the obligation, is a complete misapplication of the general conception and principles of credit. In such cases, one of the principal points which is always borne in mind, is the possibility that payment may not be made in due time, because of the insolvency of the debtor, hence the more or less high rates of interest and securities exacted.

In a matter of such importance I give my cordial support to the sense of justice and right expounded by Calvo in his work on International Law, and also agree with the Drago Doctrine as expressed in the communication which he authorized as Secretary of Foreign Relations of Argentine, on December 29, 1902.

Any method by which countries may be led to the peaceful settlement of their international difficulties is of the greatest and highest importance, not only for the preservation of peace but also to make international arbitration more solid and stable. It is, therefore, an all-important matter that treaties made between friendly nations should always, in prevision of any disagreement, stipulate the obligation to refer to The Hague Tribunal all cases after diplomatic exertions are exhausted. The views and the influence of modern statesmen in this connection are most gratifying, as in less than four years forty-four treaties of arbitration have been signed, many of which provide for the submission to The Hague Tribunal of any differences that may arise. May such example be followed by others, and its application become more universal.

This current of public opinion, this great love of justice which grows daily in both hemispheres, lend support to the action of the President of the United States and his Secretary of State, in asking that a group of civilized nations, decided to settle by peaceable means their differences, come together to ask justice

before a permanent court formed by men who by their independence, honorability, learning and disinterestedness, offer ample security that their judgment shall be just, right and impartial.

By these means the world will attain a superior organization, where day by day the necessities for armies and navies shall decrease, thus lessening the public charges; confidence shall be re-established among governments and nations; industry shall demand the aid of idle hands and of the energies which she now lacks, and lastly peace and good-will shall exert their noble influence in the development and happiness of the human family.

The best proof that Mr. Root's views on the subject are irresistibly gaining ground lies in the fact that not a day passes without a new problem demanding solution.

Which are the obligations and which the rights of neutrals, minutely described so as to leave no room for doubt or discussion? What rules should control the transmission of wireless messages, both in time of peace and in time of war, between private individuals, between a belligerent power and its citizens, and between the inhabitants of a neutral country? Can the right of free use of space in the air be curtailed by intercepting the hertzian waves, the wireless messages, and what are the requisite conditions for so doing?

The attention of the new Peace Conference must also be called to the determination of such delicate points as that of declaration of war, because while some believe it to be a relic of mediaeval chivalry, others hold that it is an indispensable requisite, the violation of which imports treachery and deceit. The same applies to the use of submarine mines on the high seas, which in my judgment, ought to be unanimously condemned, because of the damages inflicted thereby to commerce and navigation, and because of the constant menace to the merchant marine of the world from such mines as also from those that may become detached from their places. It should also be definitely determined whether neutrals, having no navy to protect their coasts, may place mines in their waters to insure their neutrality.

The Hague Conference has established very important rules in the matter of the protection to which the property of neutrals is entitled on the high seas, the necessity to defend honest commerce and to employ all possible means to the end that those engaged in the interchange of the products of the world may not suffer the contingencies and dangers of war while performing their mission of peace and harmony.

This, Ladies and Gentlemen, is a great deal, but certainly it is not all. There remains still that private property on land be fully protected in time of war, specially stipulating the inviola-

bility of railroads, which are to the social body like the arterial system and stoppage means death.

I am fully aware of the fact that this is not an easy matter to deal with, since railroads may transport men and other elements intended to prolong and increase war, thus reducing the probabilities of peace, or again, they may be the property of one of the belligerents. However, means could be found to arrange matters by exercising necessary vigilance so that commerce be not interrupted and both the rolling stock and other property be amply protected. The stipulations contained in Article 54 of The Hague Regulations regarding war on land sadly contrasts with those on war on the seas, because of the brevity and deficiency of the former and the minute and wise provisions of the latter. I hope, however, that the learned members of the coming Conferences may consider such an important subject.

In the matter of treatment of prisoners of war, we have as precedents the code approved by President Lincoln in 1863, the Convention of Geneva in 1864, the Brussels Convention in 1874, the resolutions of the First Hague Conference, the instructions issued by Count Katsura, Japanese Secretary of the Interior, in the Russo-Japanese war, and other dispositions on special and particular cases. But we still need the preparation by The Hague Conference of an international code complete in all details, inspired by new advances in humanitarian sentiments developed by the progress of civilization which tends to minimize the suffering of the victim and to preserve human life.

It may sound strange, but one other factor which will contribute towards the termination of war is the number of scientific inventions capable of destroying the greatest armies, the most powerful navies, by the mere agency of a few engineers, the application of chemical formulas and some simple mechanical contrivance.

Nothing, however, will so effectively work towards the complete success of international arbitration as these gatherings devoted to free from all others questions, on a scientific basis, the very foundations of international law, to create public opinion, to cast the figure of Peace in the molds of altruism, to spread the gospel of Right in both hemispheres, and to write in glowing characters the glorious words: JUSTICE—INTERNATIONAL ARBITRATION! (Applause.)

THE CHAIRMAN: As the second speaker I have the honor to present a statesman who has contributed powerfully to the development of his own land and who is a strong link in the chain which binds Bolivia to the United States in friendly relationship, His Excellency, SENOR DON IGNACIO CALDERON, Minister of Bolivia to the United States.

ADDRESS OF SEÑOR DON IGNACIO CALDERON.

I will begin by very cordially thanking Mr. Smiley for the honor he has done my country by inviting me to take part in this Conference, in company with such distinguished persons, whose noble ideals cannot fail to arouse the sympathy of all who love justice and peace.

Each forward step in the civilization of the world is one barrier less toward human fraternity; distances disappear before the power of steam and electricity; telegraphs circle the globe establishing instantaneous communication between the remotest points, and each morning we read in the daily papers the chronicles of the world and become interested in the vicissitudes of men and nations. In this way grows a sentiment of human sympathy which makes us participants of the misery of the oppressed; awakens our condemnation of all wrong as well as our blessings for those who fight for peace and right in the world.

Now as never before the words of the Roman philosopher are a practical truth: "I am a man and nothing human is indifferent to me."

And such is the community of life and interests between the nations of the world that no important events either for good or for evil happening in one country fail to affect the other.

All this interchange in the social and political progress of modern society, under the civilizing impulses of democracy and the divine inspiration of Christian principles, has so linked the relations of the nations that war is truly an anachronism; a criminal backward step to times that ought to remain as mere recollections of the sad periods when the ruling principle was the power of the sword.

As the sphere of our knowledge grows and expands, the harmony of the laws of nature are more clearly impressed on our minds and the desire of substituting the higher impulses of justice for the brutal instincts of war and carnage, become stronger. How much more worthy is our mission in the world to solve the mysteries of life and dominate the forces of nature by harnessing them to minister to our wants and pleasures, and to lift up our souls to the worship of justice and charity. Unfortunately we have not yet arrived at the high grade of moral culture in which the love of peace and of righteousness must supersede the enthusiasm awakened for military exploits and hero worship.

The history of mankind is the history of wars and the subjection of some peoples by stronger ones; the substitution of old civilizations by new ones, which in time fall under the pressure of less advanced but more war-like nations.

In ancient times conquest was the ruling principle. The conquerors submitted the vanquished to slavery and their posses-

sions were appropriated as booty; and this formed the coveted reward for their prowess as warriors. "*Ve victis*" was the terrible emblem of the conqueror.

When the vast Roman empire fell in ruins before the incursions of the barbarians of the North, a victim of the corruption of its governments and the degradation of its citizens, Europe was plunged into the long night of the Middle Ages and became a great field for brigandage under the dominion of feudal lords.

Tired of these depredations, the common people sought the aid of the kings against their oppressors, and in this way absolute monarchies sprung up on the ruins of feudalism. In England the evolution was different; and the union of the people with the barons, in opposition to the usurpations of the kings, produced a constitutional government under which the English people secured the enjoyment of their liberties.

The kings, always anxious to enlarge their dominions and their dynastic intrigues, aided by religious dissensions, maintained a constant state of war amongst the nations of Europe. That incessant and cruel warfare has left behind a heritancy of hatred, and created complications and rival aims which are the cause of that state of mistrust and unrest that necessitate the maintenance and increase of military armaments.

In the meantime the development of commerce and industries have formed such extensive and close relations among the nations that war has become an object of universal condemnation; while the sentiments of peace and justice have made such progress that they are irresistibly penetrating the universal conscience; and everywhere associations are at work endeavoring to establish some means of bringing peace to the world.

The very improvements in the weapons of war have taken from it the romance of daring deeds of the past, and reduced the battle to mere slaughter against which all sentiments of humanity protest. The greater the improvements in the methods of destruction, greater will be the horror that follows their use.

The movement of civilized peoples towards the establishment of peace and concord in their relations is not then an illusion of idealists, neither an indication of the lack of energy. It simply marks an advanced stage in social ideals and a more perfect appreciation of the moral laws and high aims under whose influence we must fulfill our destiny.

That which to-day seems a mere delusion will be in no distant future a universal practice, and we will wonder then why it was so long in being accepted.

Force and violence are condemned in the individual, as contrary to general morals; and there is no reason for not equally condemning the recourse to arms by the nations themselves.

The emancipation of the American colonies, breaking all traditions of the Old World, has consecrated in this continent the establishment of a government based on the grand principle of popular sovereignty.

I do not propose to speak of the powerful and noble influence in favor of the cause of international peace and justice which this great nation exercises. This is too well known, and for it mankind renders a tribute of admiration and recognizes its influence in favor of the oppressed of all nations, and respect for their rights.

But I am going to ask that you give me your kind attention for a few moments longer in order to tell of the progress made by the South American Republics in the humanitarian and moral principle of international arbitration.

Much has been said of the revolutions and the lack of order supposed to reign in these countries by people little aware of their true conditions, and by writers who, assuming a contemptuous air, speak of the Latin American countries as little less than the home of savages.

One of the wisest and most fortunate moves which has confirmed the sagacity of the illustrious Secretary of State, Hon. Elihu Root, is without doubt the historic visit he made last year to the various Republics on the occasion of the Pan-American Congress at Rio.

Mr. Root knew that south of the Isthmus of Panama there were young nationalities established under the same democratic principles that have served as the fundamental base of progress of the United States, and perceived that false reports and perhaps intentional misrepresentations had fostered a spirit of mistrust against this country, and he decided to correct it. His frank statements soon changed this feeling and succeeded in inspiring the confidence of the sister republics and in assuring them of this government's respect for their sovereignty and of its good intentions. On the other hand he has acquainted his fellow countrymen with and revealed to them the progress and the true condition of these republics.

I can confidently affirm that the principle of international arbitration is a doctrine more generally practiced and accepted in South American countries than anywhere else. Brazil has established arbitration among her constitutional precepts, and has submitted to this method of settlement territorial questions with England, France, Argentine and other countries.

The Republic of Argentine also furnishes very conspicuous examples of respect for justice and peace. After a sanguinary conflict in which almost all of the male population of Paraguay perished, and when that patriotic country lay at the mercy of the victors—Brazil, Argentine and Uruguay—the Argentine

Republic declared that the victory did not create rights; and submitted the dispute for the possession of the territory of Villa Occidental to the President of the United States for arbitration. When President Hayes decided against Argentine, it accepted the decision in good faith. The Republic did even more, and condoned to Paraguay the war indemnity.

In the question with Brazil over the territory of Misiones, both countries submitted the matter to the arbitration of President Cleveland; and the Argentine bowed to the award, which was in favor of Brazil.

Later, when the popular passions reached a point in which a war that might have involved all of the neighboring republics seemed inevitable; when the armies and fleets of Chile and Argentine only waited the signal to begin the combat; both countries gave to the world a great example of good sense in submitting the long and violent disputes over their boundaries to the arbitration of the King of England. The decision of that sovereign has been accepted and carried out; and there on one of the highest accessible peaks of the Cordilleras dividing the two nations, the noble impulses animating them have caused to be raised one of the most beautiful monuments that has ever been erected.

This monument is not built over the bloody spoils of martyrs sacrificed before the altar of their country; neither is it a reminder of the submission of one people over the other; it is the emblem of peace abiding within the souls of the sons of the American Republics, who have lifted up the image of Christ, the Redeemer, as a mark of tribute to His doctrines. It inspires neither revenge nor a sense of humiliation to the beholder. A symbol of love, and the pedestal of the Prince of Peace, it is the eternal guide under whose inspiration must grow the human brotherhood. The inscription on the pedestal reads:

“Sooner shall the mountains crumble to dust than Argentines and Chilians break the peace which at the feet of Christ, the Redeemer, they have sworn to maintain.”

Bolivia, my country, has submitted to arbitration important boundary questions with Peru, Paraguay and Brazil. Peru also has arbitration agreements with Bolivia, Brazil, Ecuador and Italy.

The boundary disputes have been the main cause of the disagreements among the Latin American Republics. Such is at present the popular sentiment in favor of arbitration that all of those questions have been submitted to that honorable way of settlement.

The Pan-American Congresses, especially that of Mexico, have recorded this noble aspiration of the American Republics in explicit declarations.

Uruguay and Argentine celebrated in 1902 a general treaty of arbitration, stipulating the submission to arbitration of all controversies of whatever kind and for any cause arising among them which would not effect the precepts of their constitutions.

Besides this treaty, Uruguay has other similar ones with Spain; and has approved a treaty of obligatory arbitration entered into in the Pan-American Conference in Mexico by Argentine, Bolivia, Guatemala, Salvador, Santo Domingo, Peru and Paraguay.

And this is the work of countries commonly considered as always playing at revolutions, and without the least idea of order or justice. (Applause.)

The principal efforts to popularize the adoption of arbitration must be directed toward educating public opinion, and in substituting the sentiments of justice for the false pride of brute force. We must teach the masses to respect the rights of others as the best agency for protecting our own.

It is useless to speak of disarmament when first of all the rival nations have more confidence in their fighting strength than in the justice of their cause or the love of peace of their neighbors.

To a certain extent the democratic doctrine of government by the people and for the people affords greater security against wars, provided the public sentiment is properly guided and the nation as a whole has a true love for fair play and honest dealing.

When the Venezuelan ports were bombarded by the combined fleets of some of the great powers of Europe, the Argentine Republic, through her Minister of Foreign Affairs, called attention to the great injustice and the menace to the sovereignty of the victim republic that such action implied.

Señor Drago, in his famous note, among others, made the following statements: "The acknowledgment of a debt and the liquidation of its amount must be made by the country without curtailment of its fundamental rights as a sovereign entity; but the compulsory demand at a given time, by means of force, would only be the destruction of the weak nations and the absorption of their government with all of their faculties by the strong nations of the world." The principles acknowledged in the American continent are different. The illustrious Hamilton said: "The contracts entered into as between nations and individuals are obligations subject to the conscience of the sovereign and cannot be an object of compulsory claim. They do not confer any right of action outside of the will of their sovereign."

Referring to the eleventh amendment to the Constitution of the United States, Señor Drago remarks: "That it forbids a judicial action on questions of law or equity as between the citizen of one of the states against any of them or by the subjects of a foreign power."

Speaking of the origin of claims, he makes the very wise observation "that the capitalists who loan their money to a foreign power always have in mind the resources of the country with which they treat, and the greater or less probability of the fulfilment of the obligations."

This was also Lord Palmerston's point of view when he was Prime Minister of England in 1848: "The creditor knows that in treating with a sovereign power it is an inherent condition of all sovereignty that it cannot be sued as long as such action would compromise its very existence and destroy the independent action of the government."

The doctrine advocated in this famous document is thus summarized: "In a word, the principle which we would like to see established is that a public debt cannot warrant an armed intervention, much less the occupation of the territory of any of the American nations by a European power."

When it is known that in most cases the claims against some of the republics are either shamefully exaggerated or are clearly unjust, the practice of putting a nation's strength and resources behind them must be condemned.

The arbitral awards in the claims against Venezuela, which were the cause of the bombardment of the indefensive ports, prove without the least doubt that the claims were exaggerated and unjust. On the average the awards did not amount to thirty per cent. of the value claimed, and in many cases they did not reach ten per cent.

These subjects cannot be mentioned without recalling the Jackers claim for fifteen million dollars in 1861, which was the pretext for the invasion of Mexico, while that country had only received seven hundred and fifty thousand dollars. This is a very typical illustration of the greater part of these kind of claims.

Professor Martens has truly said, in speaking of the note of Señor Drago, "that it merited the thanks of all of the champions of right and justice in the dominion of international relations."

Very often the claims originate with men who, knowing beforehand the state of insecurity that exists in some of the republics, go to them deliberately with the object of taking advantage of the political unrest and become the promoters of revolutions and obtain unlawful concessions.

We need not forget either that there are nations in Europe that have failed to pay their debts, but no one ever thought of pointing the cannon's mouth toward them to collect the deferred obligations.

Thanks to the efforts of the honorable Secretary of State, Mr. Root, the Drago doctrine will be submitted to the second Hague Conference, and it is to be hoped that the great powers, guided

by more reasonable ideas, will agree to end one of the most disgraceful practices, and establish rules that will afford justice to all.

The advancement of the Latin American republics is shown in the yearly increase of their foreign trade, which now amounts to nearly a billion and a half dollars per year, and that with a population of only about fifty millions. The construction of the railways, the development of public instruction and the opening of the wonderful resources of that continent mark an era of true progress.

Providence has destined the whole of America to be the home of freedom.

The enormous resources of the vast territory of each of the ten republics of South America offer a remarkable field for the employment of all the energy and efforts of future generations. We need population—men capable of helping us do the enormous labor that our great resources require.

The work of the hearty pioneers of the North-west contributed to the greatness of this nation more than all the wars have done for any of the nations of Europe. To fight for the conquest of the great store of wealth that the mountains, plains and forests of South America offer to man is a nobler work than the idle massing of the young people in barracks consuming the revenue of a country.

There is Bolivia, my country, with a territory equal to one-fourth of that of the United States, abounding in all kinds of minerals, especially tin, silver, copper and gold; with prairies of rich pastures for a vast cattle industry; forests, where millions of rubber trees can supply large quantities of this useful commodity, besides other equally important products.

The railroads now in course of construction are destined to open a great field for industrial development as profitable as any in the world, under a climate generally suitable for white emigrants. Liberal homestead laws and immigration facilities are given to all settlers who are willing to take advantage of the opportunities of self-improvement that a country orderly and full of resources offers to men of all nations.

Every one of the republics of the South are ready to welcome the life-giving current of immigration which has so greatly helped the rapid and extraordinary accumulation of wealth and happiness in this great commonwealth.

Let us hope that, guided by the true principles of democracy and following the natural development of their intercourse, in no distant epoch the South American republics, confederated into a few powerful nations, will be the home of hundreds of millions of free men, working peacefully for their own welfare, conquer-

ing and dominating nature's munificent gifts, free from military thralldom, and in the full possession of the rights with which God has endowed our immortal souls. (Applause.)

THE CHAIRMAN: As the next speaker, I have the honor to present the Director of the International Bureau of American Republics, who has been Minister to Siam, Argentina, Colombia and Panama, and whose long and distinguished service in the diplomatic corps at Washington peculiarly entitles him to speak for the interest of our neighbors to the south—HON. JOHN BARRETT.

ADDRESS OF HON. JOHN BARRETT.*

In view of the fact that the twenty Latin American Republics of the western hemisphere are to be represented for the first time at the Hague Conference, it is fitting to consider on this occasion what they have done to advance the cause of international peace and arbitration. Before elaborating on that point, however, I beg to call your attention to the importance of bearing in mind the great progressive, onward movement that now characterizes all Latin America. From Mexico and Cuba on the north to Argentina and Chile on the south, every country is advancing rapidly in wealth, commerce and population. They are entering upon a new period of prosperity and are becoming far more stable in their government than in former years. They are all looking closely to the United States for leadership, co-operation and help in solving the problems before them.

Too much credit cannot be given to the wide-reaching effects of the diplomatic journey of Secretary Root around South America. Before he undertook that mission the general attitude of Latin America was one of distrust. The editorials in the newspapers, the speeches of statesmen, and the articles of average writers showed a spirit that was anything but favorable. Since he returned from the tour in which he visited the principal cities and countries of South America, came in contact with their representative statesmen, made addresses that were quoted far and wide, studied their conditions, and proved to them that the interest of the United States in their welfare was thoroughly sincere and had no ulterior purpose, there has been a wonderful change in their attitude. Now they see the wisdom of our plans and policies where before they experienced grave doubt as to our intentions. They look upon our efforts to bring about peace in Central America, our building of the Panama Canal, and our solving of the problem in Cuba, as deserving of their support and approval.

*This address was necessarily delivered at the second session of the conference.

Perhaps the greatest result of all is that these twenty sister republics are to participate with the United States in the Hague Conference, so that twenty-one republics will represent the Western Hemisphere instead of two.

I regret that I have not time to point out the marvelous material development of the more prominent Latin American Republics, to tell you something of their cities, of the building of great harbors along their seacoasts, of the extension of railroads into their distant interior, of the improvement of their agricultural lands, and of their educational, intellectual, and general progress, but I would emphasize strongly the necessity of the American people showing more appreciation of what Latin America is doing. The International Bureau of the American Republics is striving in every way it can not only to promote commerce and trade among the American nations but to bring about closer relations along intellectual, educational, and social lines. It can only carry out its work successfully if it is supported by general public sentiment throughout the United States.

In considering the importance of the field which the International Bureau is endeavoring to make better known throughout the United States, it should be borne in mind that, of the one hundred and sixty millions of people who dwell in the twenty-one American republics, nearly seventy millions are to be found in the Latin American nations, while of the eleven million square miles covered by the American republics, some eight million are occupied by Latin American countries. The fact that a large portion of their area is in the tropics does not lessen their importance. In this connection it must be remembered that there are extensive portions, in the tropical belt, which, on account of their high altitude, have a climate equal to that of Northern New York in the summer and which are hence well adapted to be the home of prosperous, thinking, powerful peoples.

Statements that Buenos Ayres, the capital of Argentina, already has a population of one million one hundred thousand, and is growing faster than any city in the United States after New York and Chicago, that Rio Janeiro, the capital of Brazil, has now over eight hundred thousand people and is being made a beautiful metropolis, that Brazil is spending more money to-day in the improvement of her harbors and waterways than is the United States, that Chile is recovering from her earthquakes with just as much public spirit and enterprise as California, that Bolivia is building a great railroad system to connect with neighboring lands, that Peru, Colombia, Venezuela, Ecuador and Uruguay are all alive with new plans for material progress, and that Mexico to-day is one of the most prosperous countries in the world, should convince the most skeptical that this field is worthy of our closest consideration.

We should be up and doing, especially when we bear in mind all Europe is aware of the splendid opportunity in Latin America for advancing there her commercial and political influence and is leaving no stone unturned to add to her prestige. Latin America appreciates this attitude of Europe and wonders why the United States, apparently self-centered and self-contented, does not do more to get into closer touch with her both commercially and morally.

Three facts not generally known in the United States should receive the attention of the American people in forming a true and just opinion of the Latin American republics. Secretary Root's memorable visit to South America and the recent political conditions in Central America have awakened a new interest throughout the United States in her sister republics which is in danger of being influenced by wrong impressions unless these facts are carefully considered.

First: Latin America, judged as a whole, is not a land of civil wars and revolutions, despite the popular idea in the United States and Europe to the contrary. It is unfair, unjust, and untrue to continue describing Latin America in these days as characteristically revolutionary, or as being a part of the world which is in a state of civil strife more than in a condition of peace. Nearly five-sixths of the total population and area of Latin America has known no serious revolution or civil war for over ten years, while the major portion of it has not been afflicted with a serious revolution, involving great bloodshed or destruction of property, in twenty years. The trouble is that so much prominence and attention has been given to revolutions in the small countries of Central and South America that both press and people of the United States and Europe have overlooked the fact that the larger and richer nations have been enjoying almost undisturbed peace for a long period of years. It is as unjust to call Latin America the home of revolutions because now and then a civil struggle breaks out in some country as it is to say that riots and bloodshed predominate all over the United States because there have been serious troubles at times in Idaho, Colorado, and Louisiana.

Brazil, which is as large as the United States proper, Argentina, which is half the area of the United States, Chile, which is larger than the combined area of our Pacific Coast States plus the first tier of States, Peru, which is as large as all our Atlantic Coast States from Maine to Georgia, Bolivia, which is three times as large as Texas, and Mexico, which would include our whole Central West, all enjoy such stable conditions of government, prosperity, and peace that to-day European financial papers are discussing them as providing fields for the investment of capital equally as safe as those of the United States. South America

and Mexico resent keenly the constant repetition of the charge that Latin America is given over to revolutions. It is high time that the American people and press familiarized themselves with the actual facts and gave the greater portion of Latin America credit for evolving good government and order out of disturbed conditions of the past and thereby merit the confidence of the United States in its further progress.

Secondly: No group of nations in the world has done more than those of Latin America to promote the cause of international arbitration. In other words, the United States and the nations of Europe, Asia and Africa combined have not, by practical tests and the referring of disputes to arbitration, equaled the record of Latin America in this respect. The long list of boundary disputes between the different countries of Latin America which have been adjudicated by arbitration is evidence of this contention. There have been many cases where the decision to arbitrate their cause of dispute has prevented prominent South American countries from going to an expensive war. The International Bureau of American Republics, of which I have the honor to be Director, has recently been compiling a record of the Latin American disputes settled by arbitration, and I take great pleasure in submitting, as an appendix* to my remarks, quotations* from letters of the Latin American Ministers in Washington which I have received in answer to my inquiries, covering the records of their respective countries in the matter of arbitration. There is no better evidence of the forward movement of Latin America in this line than the avoidance of war between the Argentine Republic and Chile, just as they were on the point of engaging in a struggle that would probably have been one of the bloodiest in the history of the world and which would have reduced both countries to a state of desolation and poverty and burdened them with a public debt that would have retarded their progress a quarter of a century. Now, instead of suffering with such a fearful handicap, they are making astounding progress not only in trade and commerce but in general educational, intellectual and social progress.

Last year Argentina enjoyed a commerce with the outer world amounting to \$563,000,000, which amounts to nearly \$100 per head of population—more than that of any other prominent nation—and which would have been impossible if she had carried on her shoulders a mighty foreign debt. In this connection it is interesting to note that prosperous Argentina, with a population of only 6,000,000, enjoyed a greater commerce with the outer world in 1906 than did progressive but warlike Japan with 40,000,000 people. Chile, likewise, has gone ahead with such

*See Appendix of this report.

strides in material and political development that her trade has grown over one hundred per cent. in the last ten years and her people are able to recover financially from a disastrous earthquake with the same ease as the residents of San Francisco and California. What would have been her status if she had been almost ruined by a war with the Argentine Republic it is difficult to imagine.

Third: The only great and impressive monument on the Western Hemisphere erected as a result of arbitration stands on the boundary line of Argentina and Chile, amid the summits of the Andes Cordillera. At an altitude of nearly 15,000 feet—or three miles—above the placid level of the Atlantic and Pacific, commanding a mighty prospect of Argentina on the one side and Chile on the other, and seeming to breathe forth the spirit of peace, is a dignified, gigantic, bronze statue of the Christ, which was erected by the joint order and expense of the two governments and was dedicated in the presence of the leading statesmen of both countries, who journeyed from their homes to the cold altitudes of the Andes to witness its unveiling and to testify to their support of its everlasting significance. The very fact that the bronze out of which the statue is cast is from the molten cannon gives additional meaning to its presence on the mountain tops. It is located on the principal pass between the two countries, which is used by all travelers going back and forth, while directly under it—when the railroad is completed—will pass a tunnel—the longest in the world—that is to bring Chile and Argentina as close together in communication as they have been united by the arbitration that made this monument possible. (Applause.)

THE CHAIRMAN: As the third speaker of the morning I present the HON. FRANCIS B. LOOMIS, of Ohio, who has served our country in the Department of State at Washington as Assistant Secretary, and in the diplomatic service as Minister to Portugal and Venezuela and as Special Ambassador to France.

ADDRESS OF HON. FRANCIS B. LOOMIS.

Mr. President, Mr. Smiley, Ladies and Gentlemen of the Conference: I cannot refrain at this moment from congratulating the Conference and its honored founder upon the varied, distinct and substantial results of its long years of effort and activity. Conversation with several distinguished foreign diplomats of world-wide reputation has shown me the very gratifying fact that the Mohonk Conference is being recognized as a distinct and vital force. Acting intelligently, persistently, patiently and by all proper means upon public sentiment through a long period of

years, it has made its influence felt in every corner of the world where there is a highly civilized community, consciously or unconsciously on the part of that community. This is a record of which to be proud, and it forecasts what the future may hold in store in the way of achievement for you.

But there are, unfortunately, some quarters of the earth, not so remote from us, which contain few highly civilized communities, and in these places your influence as yet has not been felt for the very sufficient reason that in our understanding of the term there is no such thing as "public opinion." In that vast stretch of territory extending from the southern boundary of Mexico almost or quite to the northern boundary of Ecuador there are whole communities in which there is in reality neither free speech nor a free press. The people are living under military despotism. Occasionally there is a change for the better, but unfortunately it is not always of long duration. I speak more particularly of some of the smaller and more irresponsible governments of the countries bordering the Caribbean Sea. Let it be clearly understood I make no reference to our great neighbor immediately to the south—Mexico—in whose growth, development and advancement in civilization we all rejoice; nor do I refer to the masterful countries speeding forward in the South, such as the Argentine Republic, Bolivia, Brazil, Chile, Peru—but in the stretch of territory through parts of Central America there are communities which very much need your aid. You will find there wide and abundant opportunities for the exercise of your best and most humanitarian and benevolent activities. Warfare is still carried on in these countries with all the brutality and savagery of primeval times. You may be surprised to learn that in many of these countries there is no medical or sanitary organization provided, no such organization accompanies the armies in the field. The wounded are left unsuccored, the dead unburied. I have seen three hundred wounded men scattered about the streets of a city, with the tropical sun burning upon them, and there they would have perished miserably of gangrene and fever and thirst, had it not been for the timely arrival of an American warship, on which was a gallant young surgeon, Dr. W. C. Braisted (now one of the most distinguished of medical officers of the American navy), who asked permission to form a party of volunteers and go ashore. He did so, organized a temporary hospital, supplied it himself, and for thirty hours performed operations himself, saving the lives of upward of fifty people. (Applause.) Not only that, but the "Blue jackets" on the vessel subscribed from their meagre pay a large sum with which to purchase ice and other necessaries for those poor, wounded, deserted men. Our navy has been performing acts of this sort for many, many years.

It has not been a month since we read in the newspapers of most horrid atrocities committed in the course of war in Central America, in which was minutely described the massacre of entire families, the putting to the sword of men, women and children. We all regret these occurrences, but it seems to me that they must bring clearly to our minds the necessity for doing all in our power to bring to bear upon these people the force of public sentiment, by devising some means to cultivate, to arouse, to organize an educated opinion in those countries. We have not time to go into the discussion of the means to be employed, but it seems to me if we want to do practical work, if we want to do something to ameliorate the horrors of warfare actually existing, here is an opportunity for us.

It has been estimated, I think, that the cost of wars in this strip of territory in the last seventy-five years has amounted either to eight hundred or nine hundred millions of dollars. I do not recall the exact figures.

The most earnest friends of peace and the active advocates of international arbitration are not infrequently charged with being visionary seekers for impractical ends through impractical means. There may be some just ground for this criticism, but it should be remembered that every epoch-making, righteous movement receives in a large measure its strength, its almost superhuman vitality from the faith, the prayers, the dreams and the works of so-called enthusiasts. In this age, however, one may be an enthusiast but still give practical direction to his activities.

Therefore I am going to invite you for a moment to consider one of the great projects of modern times and one which will inevitably make for peace, good feeling, and a clearer understanding among all the peoples of the new world. I refer to the Pan-American or International Railway, which briefly is a project to connect New York City and Buenos Ayres by a continuous line of railway, operated under a single management. This plan was brought prominently to public attention by Mr. Blaine in the Pan-American Conference of 1890. That Conference declared that a railway connecting all or a majority of the eighteen nations represented in it would contribute much to cordial relations between those nations and the growth of their material interests and peaceful intercourse and stability. Mr. Blaine in calling the attention of President Harrison to the report of the railway committee, said, "No more important recommendation has come from the International American Conference than this, and I earnestly commend it to your attention that prompt action may be taken by Congress to enable this government to participate in the promotion of the enterprise, for in no other way could the government and the people of the United States contribute so much to the development and prosperity of our sister republics."

President Harrison gave his hearty support to the project and a commission was appointed, of which the late Mr. A. J. Cassatt, former President of the Pennsylvania, was Chairman, and Henry G. Davis, of West Virginia, Chairman of the Finance Committee. Extensive surveys were made and this work covered a period of several years, and when finished it showed the approximate distance from New York to Buenos Ayres along the proposed route would be some 10,400 miles; about 6,300 miles has been built, and there is under construction or contract at the present time 3,700 miles, in order to fill up all the gaps and make a complete, uninterrupted line from New York to the Argentine. If all the lines which have been surveyed for this railroad and are in operation or under construction were combined into a single trunk line, the mileage would be less than the Pennsylvania, the Santa Fé, the Southern Pacific and other railway systems in this country with which you are familiar. The estimated cost of the sections to be built and equipped is one hundred and eighty-five million dollars. It is believed by financiers and railway experts, in view of the mineral wealth of Latin-American countries, some of which have been pointed out to us this morning by the Minister from Bolivia, and in view of the great possibility of development of agricultural and mining interests and the upbuilding of many lines of industry that the road would be in the course of a few years a profitable one. That the project is a feasible, practical, as well as important one, we have the sufficient testimony of such men as A. J. Cassatt, Andrew Carnegie, and of such practical railway men as R. C. Kearns, H. G. Davis, and far-sighted statesmen, such as Mr. Root, who has given the project his warm approval. It is not a question of ultimate profit which enlists such men as Mr. Cassatt, Mr. Davis and Mr. Root in an enterprise of this sort. They see something infinitely more serious, more interesting and more important than the mere fact of railway building on a vast scale or the earning of dividends. They know, as does every one who has had to deal in a practical way with international affairs, be they commercial or diplomatic, that the greatest solvent of international ill-feeling is closer acquaintanceship and the resultant mutual understanding which follows. They know that well-established lines of communication and the frequent use of them tend to draw people and nations together. I do not hesitate to say that no other single project, enterprise or undertaking can do so much to establish substantial, permanent conditions, making for peace and good-will throughout this hemisphere, as the building and operation of an international railway line from New York to the Argentine Republic. The spirit of all that is worthy and good and noble in our civilization would be carried southward. The too frequent disorders in some of the smaller republics would cease, because those communities

would be brought into quick and closer communication with the outer world. Their isolation would be destroyed, they would be in touch with better and more stable conditions. The governments in those unrestful countries would be able to transport troops rapidly, uprisings would be promptly suppressed.

Maintenance of peace and good order in Mexico was enormously assisted by the building of railways. In our own country civilization followed the rails across the plains over the western mountain ranges to the Pacific Ocean. The wild Indian, the desperado, the offensive cowboy have in their turn disappeared. Savagery, violence, local warfare cannot stand before the steady and regular movement of trains laden with the necessities and comforts of life; laden with people who know their meanings and their use; laden with teachers and preachers and physicians to minister to the mind, body and spiritual welfare of mankind. This civilization is irresistible. The humanizing influences that inevitably follow the pioneer railway cannot be overthrown. And this means that a great railroad through the heart of Central and South America would be one of the most prodigious instruments for progress the modern world has known. Whenever, wherever civilization is at a low level, the tendency and the effect of the opening and the operation of the Intercontinental Railway would be to lift conditions of life to the higher and better plane on which it moves in the capitals of Argentine, of Chile, of Bolivia, of Peru and of Brazil, Mexico and of the United States. All that our continental railways have done for this country we may confidently expect the Intercontinental Railway to do for the three Americas. The best of Spanish-American traditions and civilization, the best of North American or Anglo-Saxon traditions will be carried along these shining rails. Widely separated peoples will be brought into closer contact, good faith and good fellowship will be engendered and unity of purpose, of aspiration and ideals will follow.

I ask you to view this project in its broad, humanitarian aspect, and give your cordial support and consideration whenever opportunity offers, because it is something substantial, something practical, and because if it be carried through it will straightaway bring peace to many turbulent, uneasy and distressed communities, which at no period within the last three-quarters of a century have enjoyed five years of continuous, unbroken tranquillity. We want to try to help the people south of us who need our help. We want the other strong nations of this hemisphere to join us in this endeavor. We want them to help us to develop in the weaker nations strong peoples, strong and efficient commonwealths, and we want them to understand, those people who are not yet quite upon their feet, as it were, that we do not want or seek a square foot of their territory; we want them to attain great prosperity

and power. No republic to the south of us can become too rich or too self-sustaining to suit the kindly purposes of this government and this country. (Applause.) We want everywhere the spirit of genuine liberty to be alive among the people; we want to feel that they are profiting by what is worthy and true in our national life. In this sense we hope perhaps to exert a paramount influence. We want the American republics to know that we think that honest toil is dignified and ennobling. We want them to entertain a spirit of toleration in all matters, and to understand that "In union there is strength," and to know, too, the strength of our civilization is individual development and endeavor. We want the ideas of civil and religious liberty and free education to have wide scope and abundant appreciation. We desire all of our Latin-American friends heartily to continue to co-operate with us in supporting, urging and vitalizing the principle of international arbitration. In these righteous ways we may endeavor to Americanize the new world and perhaps the old; but not by the concrete power of the "almighty dollar," not by manifestation of force; but, rather, by the dissemination of those lofty, civilizing agencies, those great principles, those fine ideals, those spiritual forces upon which our country was founded and upon which it has lived and had its being. (Applause.)

THE CHAIRMAN: We will now listen to HON. FRANK C. PARTRIDGE, of Vermont, who has been Minister to Venezuela and Solicitor of the State Department at Washington.

REMARKS OF HON. FRANK C. PARTRIDGE.

This is the first of these Conferences which I have had the privilege of attending, and it was not my good fortune to arrive at this one in time to attend the first session. Under those circumstances I am somewhat embarrassed to be called upon, on a few moments' notice, to follow the able addresses to which we have just listened.

One does not need to be very familiar with the countries to the south of us, or to have become particularly interested in them, to appreciate how little as a whole our people know of those nearby countries, of which we ought to know most. I will myself acknowledge that I am continually surprised as I learn more and more of what those countries are and of what they are capable of becoming. As I followed the reports of proceedings of the Rio Conference and of that remarkable trip of Secretary Root, and as I listened to the remarks of Mr. Barrett regarding what these countries are and what they can be and will be, I found myself surprised. We are accustomed to go as tourists into Mexico; we have investments there and we know something

of its remarkable progress ; but as a whole I think we have rather a blank idea as a people of the countries which exist beyond. To those who have not a conception of what these countries are and can be, their advent into the congress of the world at The Hague would not be a matter of great moment. And yet in fact it seems to me that it is of very important moment. It augurs well for the cause of international arbitration—the advent of representatives from some twenty or more nations, who will go into that Conference committed to the cause in which we are so much interested. They will not have there naturally the voice and influence of the great powers of Europe, but they will have the advantage of being thoroughly committed to the cause of arbitration, both upon the ground of self-interest and upon the higher ground of principle. I say upon the ground of self-interest, because in fact it generally happens in the disputes in which our Spanish or Latin-American countries are interested, at least it more often so happens that they are the weaker nations in naval or military resources—that they are the nations which are not attempting to exercise force, but against which force is attempted to be exercised. Self-interest is not the highest motive and yet self-interest is a very important motive in the relation of nations, and when it coincides with correct principle it is very potent. Not only is the self-interest of our Latin-American republics in the direction of arbitration, but I believe just as thoroughly that there are no nations of the world more thoroughly committed to it as a matter of principle. They have illustrated that thoroughly in their relations with one another, in those cases where there is no opportunity to say that the question of self-interest was involved at all. I believe that we may congratulate ourselves that to this new Conference there will go this large body of delegates from so many nations (and strong men, too, because they have strong men and are accustomed to send them to such places) who are prepared to advance the cause of international arbitration. (Applause.)

THE CHAIRMAN: The Chair is now able to advise the Conference of the action taken by the Business Committee acting in accordance with the vote on the platform earlier in the morning. The fourth recommendation as reported read:

“A declaration in favor of the inviolability of private property at sea in time of war.”

In consequence of the acceptance by the Conference of the amendment offered by Mr. Chamberlain, of Brockton, Mass., the fourth item will read:

“The establishment of the principle of the inviolability of innocent private property at sea in time of war.”

And at the end of the platform will be inserted:

"We recommend, in accordance with our resolution of last year, the consideration by the Hague Conference of a plan for the neutralization of ocean trade routes."

THE CHAIRMAN: The Chair is authorized to ask for two speeches to conclude the session. I take great pleasure in presenting to the Conference one of its best-known members, MR. JUSTICE BREWER, of the United States Supreme Court.

REMARKS OF HON. DAVID J. BREWER.*

I do not now mean to make a speech, but when at the first session the Grand Old Man (Edward Everett Hale) was telling us of the early treaty negotiated between this country and Prussia, I recalled two facts, which perhaps may interest you. That treaty was negotiated with Frederick the Great by Benjamin Franklin, and was his last official service to his country before returning to take part in the formation of the Federal Constitution. And George Washington, the "Father of his Country," when he saw that treaty, wrote to Count de Rochambeau a letter in which he said—I cannot quote the exact words, but in substance—that if all nations would agree upon treaties containing its stipulations, the entire relations between nations would be changed.

Further, Mr. President, when we listened Wednesday morning to that magnificent address, in which you pictured the formation of an international legislative body, and also the creation of an international tribunal, and added that for an executive reliance must for the present be had upon public opinion, with perhaps in one out of a hundred cases a call upon the nations to furnish a police force as in the case of the rescue of those besieged in Peking, I recalled a matter of my own experience, which illustrates the growing power of public opinion.

By the Federal Constitution jurisdiction over controversies between two States is vested in the Supreme Court. In the history of that court there have been several such cases, until the last two or three years mainly those concerning the boundaries between States; and the judgment of the Court respecting a matter of boundary is easily enforced. But lately we have had cases of a different nature; among them one brought by the State of South Dakota against the State of North Carolina, on some bonds issued many years ago, under circumstances which made them very unpopular in North Carolina. The State pro-

* Mr. Justice Brewer's speech, printed here, was necessarily delivered at the fourth session of the conference.

posed a compromise. It did compromise most of them—all but about \$250,000. By a statute of the State it was stipulated that certain railroad stocks owned by it should stand as security for the bonds. One who had most of the outstanding bonds gave to the State of South Dakota a certain number of them as an absolute donation. Probably, although it was not proved, he thought that a suit would be instituted by South Dakota in our Court, that a receiver would be appointed to take possession of the entire stock so pledged, sell it and appropriate the proceeds to the payment of all the bonds, his own included.

The State of South Dakota commenced a suit in our Court, setting forth its title to the bonds and asked a decree finding the amount due thereon and directing that the stock pledged should be sold and that a money judgment should be rendered against the State of North Carolina for any portion of the amount found due not satisfied by the sale of the stock. Other parties came in, holding other bonds, and making like petition. Now it has been repeatedly adjudicated that no money can be taken out of a treasury, state or national, without an act of the Legislature, and that no court can by mandamus or otherwise compel a Legislature to pass an act. It is also well settled that public buildings, state houses, jails—things of that kind—cannot be taken and sold on judicial process for the payment of an ordinary debt.

When the case came on for hearing we found that there was a sum due, \$25,000 or \$30,000, on those bonds; dismissed all the other claimants, and decreed that the stock which was pledged for the bonds belonging to South Dakota should be sold and the proceeds applied in satisfaction of the amount found due thereon, leaving undecided the question of what should be done with respect to any deficiency after the sale.

If the amount received from the sale of the stock had not paid the bonds, the question would have been presented whether we could render a money judgment against a State; and, if so, how it could be enforced. We could not compel the Legislature of North Carolina to meet and pass an act; the marshal could not levy upon the public buildings of the State; what would be the significance of a judgment which the Court was powerless to enforce? You may remember as an historical fact that Andrew Jackson once said in regard to one of the judgments of our Court, "John Marshall has rendered a judgment; now let him enforce it if he can."

The day before that fixed for the sale of those bonds the Attorney-General of North Carolina came to my house, for I was the organ of the Court in delivering the opinion, and said that he had been sent by the Governor to pay the full amount that we had found to be due; that the State did not intend to raise any question as to what should or could be done in case of a

deficiency after the sale of the stock, and that inasmuch as the Court created by the Constitution and charged with the duty of determining controversies between the States had declared that a certain sum was due from North Carolina to South Dakota he was directed by the State to pay that; every dollar, as well as the costs of the case. And then and there he did so. (Applause.)

Now I submit that there was a response of public opinion declaring that the judgments of that Court in this Nation which is charged with the settlement of controversies between two States should be respected, for the defeated State, although feeling aggrieved by the judgment, yet waived all question as to its enforcement and at the time appointed paid every dollar and cent of the debt. Not only was that a response of public opinion, but in addition it was a glorious tribute to the patriotism of the State of North Carolina, a State which gave us the Mecklenburg Resolutions, anticipating the Declaration of Independence! (Applause.) And I can but think her conduct far above that of the State of South Dakota, which willingly took a donation of bonds with the idea of collecting them from a sister State, in disregard of that generous feeling which should control all the States of the Union; and I do not wonder that the Governor of South Dakota, who retired from office last January, in his final message recommended that the Legislature appropriate the full amount of the money received and tender it back to North Carolina! (Applause.) Public opinion, Mr. President, is all powerful, and it is to the credit of the intelligent people of this country that we do respect the judgments of the courts created by the Constitution in declaring rights and awarding decrees.

I want to say in closing that I never come to these Conferences without being lifted to a higher manhood. There is something contagious in meeting the body of men and women that gather here and in hearing their earnest words in behalf of a cause so worthy, so dear to my heart. I go away feeling that I am a better man for having been privileged to come here. I realize, and you realize, and no one who comes here can help realizing, that there is through this nation a more intense feeling in respect to the coming of the time of international arbitration and, with that, the time of universal peace. And we can wish no better, richer reward to our good friend, Mr. Smiley, than that he should be permitted to hear the declaration from some great international conference that hereafter all disputes between nations must be settled by arbitration. Certainly we all hope that it may be so, that we may share his joy, and we will honor him for what he has done. (Applause.)

THE CHAIRMAN: As the concluding speaker of the morning, the Chair presents a merchant of New York, well known as a

man of affairs, a member of the Chamber of Commerce, and an active officer of the National Civic Federation—MR. MARCUS M. MARKS.

REMARKS OF MR. MARCUS M. MARKS.

Mr. Chairman, Ladies and Gentlemen: May I say by way of introduction that if our host's hospitality is not unbounded, I would suggest that more foreign guests be invited in future even if some of us have to sacrifice ourselves and remain at home! (Laughter.) Because international arbitration is best assisted by the getting together of the persons who are to arbitrate, and I am sure that no one of us would care to go to war with Germany after hearing Dr. Barth speak. (Applause.) The first picture that comes to our minds when there is a difference between ours and another nation is the picture of the men and women whom we know personally in that other country. The more people we know and the closer our ties with them the less chance will there be for war. It is for that reason that I feel that our good host will more and more further the cause for which he has done so much by bringing more foreigners to these great gatherings.

I was introduced just now as a man of affairs, and I want to say I do not think the men of affairs have done their duty in the peace movement of the world. They have been mainly neutral. They have not been sufficiently stirred to the importance of the part they ought to take in the work. Money is the sinew of peace as well as of war. It takes money to circulate literature, to call congresses and meetings, to send missionaries of peace all over the world; and the men of affairs are those who should put their shoulders to the wheel and help finance the peace movement, for in addition to peace being good, peace is "good business." Missionaries such as Dr. Barth going around the world would help spread the spirit of peace; literature, education will bring the realization of peace; and men of affairs should put their practical experience into touch with the vision and understanding of the professional educators and international lawyers, in order to co-operate, to co-ordinate and to federate the peace movements of the world. They should put their pocketbooks to work to stimulate peace thought all over the world, and strengthen the demand for a permanent international court of justice. A tremendous sum is needed to do the peace work of the world, and it is needed not so much in America as in some other countries. In taking a calm view of the world's map you will note that where the most money can be collected, the least money is required; and where the least money can be collected for the peace movement, the most money is required. So we

have got to collect all we can everywhere and switch over the surplus from where we can get the most to where we can get the least; and switch over not only money but time. The business man has not given the money nor the time, he has been too busy; while he has assumed to do business to live, he has in fact been living to do business, and we want to talk him out of that. There is something else to live for besides doing business, and I am going to preach that for the rest of my life. (Applause.) And there is no nobler, more urgent and more vital question to which practical business men might with more profit now apply themselves than the question "How can we best further the peace of the world?" (Applause.)

THE CHAIRMAN: The Conference stands adjourned until eight o'clock this evening.

Sixth Session

Friday Evening, May 24, 1907

THE CHAIRMAN: As the first speaker at this closing session of the Conference I take pleasure in presenting a gentleman who has served the Conference and its purposes in many ways, and to whom we are all under obligation,—MR. ALBERT E. HOYT, editor of the Albany *Argus*.

INTERNATIONAL ARBITRATION AND OTHER “IMPOSSIBILITIES.”

ADDRESS OF MR. ALBERT E. HOYT.

The movement of which the Lake Mohonk Conferences form an important part faces a somewhat peculiar situation. To every affirmative, there is a negative. But to the proposition of international arbitration, there is no opposition worthy the name. Everybody concedes the merit of the idea. War has no defender, peace has no opponent, in the twentieth century. The opposition—if such it may be termed—is indirect and evasive. “My dear sir, it is a lovely vision, a beautiful dream, but it is not practical. You and I will not live to see it realized. You and I are plain, practical men; and this is a practical world, a practical age of the world. Excellent men, my dear sir, and excellent intentions but impossible—simply impossible; it can't be done.”

I do not know that we need quarrel with the charge that we are dreamers.

If peace is a dream, war is a hideous nightmare. If it be a vision, that peaceful arbitration shall take the place of the sound of carnage and the silence of the upturned face, it is a vision which earnest men may well labor to make reality.

But the fact is, that there is no more practical movement in existence to-day; there is none which is more increasingly enlisting the support of sober, unromantic men of affairs, who have little time for dreaming, by day or by night; there is none which embraces a greater number of those whom the practical world, applying its own practical tests and standards, is wont to call successful, than that in which this Conference is engaged.

They are the dreamers who will not open their eyes and see clearly into the future. They are the dreamers who will not read the lessons of the past, and by them interpret aright that which is to come. They are the dreamers who argue that what has not yet been achieved will not yet be achieved. Practical?

Hard-headed? They are neither. For they close their eyes, and shut their ears, and call that double sealing of their faculties and understanding, against the ingress of truth, the action of men of sense.

Not many years ago, the first of May was annually ushered in with the martial strains of industrial agitation, the war of class against class. To-day, those first of May strikes are a memory, and why? Because the principle of arbitration has been successfully substituted. Capital and labor have found that they can adjust their disputes, without industrial warfare, to the advantage and profit of both. The international arbitration idea is but a step, and not a long one, in advance of this great achievement.

The best brains and the best scientific ability of our time have been applied to the problem of utilizing the waste product.

Go into our great industries and see what devices are used, what ingenious inventions are patented and applied, to make fortunes out of what a few years ago was thrown away as worthless and impossible to utilize. It is said of the great packing-houses of the West that they use all of the animal except the squeal. Do our critics mean to tell us that practical men, men of affairs and of resource, hard-headed men, if you will, are to remain content to leave it to the "dreamer" and the "visionary" to champion the utilization of the waste product in international disputes—the immense waste of human life and of treasure, the incalculable drain upon the resources of the world involved in keeping up vast armaments, either to stand idle or to be put to work in the destructive trade of making men food for cannon?

It is a libel on the constructive statesmanship and scientific progress of the twentieth century, to speak of the eminently practical plan of substituting arbitration for warfare as visionary or impossible. It is anything but that.

The impossibility of To-day is what Yesterday was sure it could not do; it is what To-day is not quite sure it can do; it is what To-morrow will be sure it could have done better and quicker than you and I are doing it.

To communicate by telegraph with a distant city was impossible last week. To communicate with lands across the sea, by cable, was impossible a few days ago. To talk with a city half way across the continent, by putting one tube to your lips and another to your ear, that was impossible day before yesterday. To hear from a ship at sea, without telephone or wire to intervene—ah, those dreamers, those dreamers! How they confound our solid men of sense. But say "dreamer" under your breath, my friend, lest your son in his aeroplane, chatting with the scientist from Mars, hold it against you that you were an old foggy, only half awake to the wonders of your own time, and totally blind to the vaster possibilities of his.

Suppose that Greeley or Raymond or any of the great journalists of yesterday were to come back, what would they say of the newspaper-making processes of our time? Why, nearly all the essentials of Now were the rank impossibilities of Then. Think of the perfecting press, the news service covering the known world with such speed and precision that events in the antipodes are published—counting the difference in time—here, actually before they happen there; the telegraph, the telephone, the fast trains, the rural free delivery, and all that these things mean to the collecting and diffusing of intelligence; all these inventions are of To-day, and Yesterday knew them not, save as impossibilities.

Napoleon was impossible. The son of an obscure Corsican, to become emperor of the French, to wed the daughter of the Caesars, and bring the sons of kings in the dust to his feet—what dream is this? To come back from Elba, be crushed at Waterloo, and yet to be the terror of Bourbonism long after his fretted spirit had chafed itself to death against lone St. Helena's rocks—a fantasy, an Arabian Nights' tale! But nay; it was real; nothing in history more real. And the thing that made it real was not the marvelous genius of Napoleon the warrior, but rather the personification in him, to the minds of his followers, of a new idea, the idea that men were not the chattels of the hated old régime, but that they might throw off its serfdom and rise to nobler and higher things.

Our American Revolution was impossible—a few half-clad peasants fighting the mighty power of England—think of it! Saratoga and Valley Forge, Lexington and Yorktown, how could these things happen except in the land of dreams? Or how could human slavery be abolished without rending our republic forever apart? They could happen, they did happen, because of the vitalizing power of ideas, ideals and principles, whose devotees, and not those who said, "it isn't practical; it is impossible," were the practical men of their time, and of all time.

Ideas and ideals are the practical things, the things which live and triumph.

The question is not, Will international arbitration fully triumph? but rather, When will it fully triumph? That depends. It is the province of such assemblages as this to convince all sincere doubters that what we propose is eminently sane, rational and practical. In this we have the valued aid of a large number of representative business men and associations from all parts of the United States. It is not believed that a candid examination of facts in regard to the growth and nature and hopes of the Lake Mohonk movement can leave a residuum of reasonable doubt that it is practical, that what it seeks is possible, and that it must in the near future be crowned with complete success. (Applause.)

THE CHAIRMAN: As the next speaker I take great pleasure in presenting the well-known editor of a well-known paper—DR. ALFRED C. LAMBDIN, editor of the Philadelphia *Public Ledger*.

ADDRESS OF DR. ALFRED C. LAMBDIN.

At the end of this very interesting Conference, after we have heard what publicists and educators and business men have done and are doing or hope to do to promote the cause of international arbitration, I am called on to speak of the peace movement from the point of view of the editor of a daily newspaper. I do not know that the individual view-point of a newspaper editor, on this or any kindred subject, necessarily differs, by reason of his profession, from that of any other observer of contemporary history of the same average intelligence and temperament. Certainly much which I have heard here appears to my newspaper sense elementary and axiomatic. That differences and disputes among civilized nations ought to be determined by reason rather than by passion, by some sort of judicial process rather than by force, is one of our editorial postulates that can require no argument. That war is not only brutal and wicked but foolish, wasteful and, in this age, absurd, we will all steadfastly maintain. That the whole trend of modern civilization, moral and material, educational, commercial, financial and political as well, is toward a broader conception of international conduct that must bring war under the condemnation that has already extinguished duelling, there cannot be any manner of doubt, however we may vary in the eagerness of our faith in this development or in the exclusive fervor with which we devote ourselves to its propagation.

Now if this is really the direction in which the world is moving, then undoubtedly the newspaper has a most important part to play, not as an advocate but as an honest and faithful chronicler. For in one respect, at least, the attitude of the newspaper editor toward the peace movement does differ from that of its more active promoters, in that he is, by nature of his calling, compelled to take some sort of cognizance of an infinite number and variety of movements, of currents and countercurrents of thought and opinion and policy, which he may value or abhor but which he must nevertheless estimate and record—while the lawyer or the professor is under no compulsion to concern himself about anything that does not interest him and is at liberty to throw his whole energy into the special cause that appeals to him and to ignore the rest. It is by such concentrated energy that results are achieved, such results as this Lake Mohonk Conference has powerfully promoted, even though the daily newspapers have

done no more than to record them and perhaps have not done even that with all the active sympathy they deserve.

In one of the reports of the Conference I read a quotation from John Hay to the effect that if the entire press of the world would highly resolve that war should be no more, war would cease. I do not know in what connection John Hay said this. As a newspaper man himself, he must have known that it was mere rhetoric. It means no more than that if all the world were of one mind and determined never to fight there would be no more fighting. But there is something in the thought of a newspaper solidarity overcoming national limitations, and this is really one of the most interesting developments in my profession to-day, running quite parallel with those closer relations in commerce, in international law and in diplomacy, of which we have heard much that is inspiring at this Conference.

If you really would have the point of view of a newspaper editor, let me ask you to think of the newspaper as he does, not as a political pamphlet, or an instrument for the propagation of opinions, the advocacy of policies. An agency for education and enlightenment it may be and ought to be, but this only in a secondary sense, depending wholly upon its own established character for truth and honesty, for sobriety and sound judgment. The modern newspaper does not represent the personal attitude of its conductors as was the case in the period of those we call the great editors of the recent past, any more than a modern work of history expresses the preconceptions of its writer as did the works of those we call the great historians, the Macaulays and Froudes. Our newspapers are not influential in the old way, but in their vastly larger field they are enormously influential, for good or for bad, precisely in proportion to the conscience with which they discharge their essential function as true, intelligent, reasonable chronicles of contemporary history.

I am not delivering a lecture on journalism, but I want to point out how this daily chronicle has become one of the essential agencies in the progress it records, not by argument or special advocacy of any kind, but by bringing to everybody's knowledge those facts, those events, those steps of world progress which without it would be considered only by the few. How are we to bring this agency into the service of the peace movement? Has not the Lake Mohonk Conference and other organizations and agencies it has promoted already done so in a most effective way by helping to make the peace movement what we call a news feature which no newspaper can ignore? Abstract arguments, however convincing, are not in themselves news. The assemblage of two or three hundred notable people, year after year, to promote one great idea, this does make news, because it is itself a world event. I am very conscious that there are newspapers and newspapers,

and that some, which address a large constituency, are trivial, vulgar, brutal and truculent. But, believe me, the American newspaper press, measured by its serious examples, was never in its history so sincere in purpose, so independent in judgment, as it is to-day, and at no time was so much effort expended as now on large affairs of world interest, particularly in the development of telegraphic correspondence with foreign capitals, not for the reporting of petty gossip but for the intelligent consideration of subjects of international concern. We have got our news centers into such close touch that the opportunities of misunderstanding seem reduced to a minimum.

I was glad to hear one of our speakers the other day protest that it was not wise to take all human interest out of the school histories. We try to make our newspapers interesting, and the more we can interest, the more we can inform. History is made up of a multitude of separately trivial details—another thing the modern historians have been learning. In the perspective of past history we can analyze all these in their due proportion and cast aside the insignificant. It is a harder task, in the daily record of the whole world's events, to give to each its right proportion, to give to each its just value and exact significance, and so make each day's record a true reflection of contemporary history. This is the newspaper editor's unending task, and in proportion to his success does the newspaper hold its place as a living part in the great current of human progress. (Applause.)

THE CHAIRMAN: As the next speaker, it gives me pleasure to present the Kent Professor of Law in Columbia University and Dean of the Faculty of Law, MR. GEORGE W. KIRCHWEY.

ADDRESS OF PROFESSOR GEORGE W. KIRCHWEY.

Mr. President, Mr. Smiley, Ladies and Gentlemen: My appearance before you is a much less important and impressive event than you might infer from the formality of the announcement with which I was presented. I do not play the rôle of an orator on this occasion, but merely of a reporter.

The members of the Lake Mohonk Conference here assembled, many of them at least, participated two years ago in the formation of the American Society of International Law. The entire Conference, whether present here at that time or not, is entitled to know whether on that occasion the Conference gave birth to an ugly duckling or to a swan. Let me endeavor to state what the result of that effort has been.

Those of you who were present will remember clearly the circumstances under which a handful of gentlemen interested in international law and in the promotion of international arbitra-

tion from the legal point of view gathered for the purpose of forming an American Society of International Law. The Society was the child of the Conference, organized under its auspices and with its consent, as the following resolution, adopted by the Conference on the 2d of June, 1905, indicates:

“Resolved, That this Conference views with favor the movement to establish a Society of International Law in the United States, and of an American Journal of International Law, and pledges its earnest sympathy with the aims and purposes of such movement.”

The American Society of International Law, formed under those auspices, has made great progress since this auspicious opening of its career. It was organized ultimately by the election of our brilliant Secretary of State, Mr. Elihu Root, as president, and of a distinguished company of vice-presidents and other officers who are devoted to the establishment of the aims and purposes which were approved by the Conference.

It now numbers some four or five hundred members, most of them members of the American bar. It recently celebrated its first annual meeting in Washington, April 19, 20, immediately upon the conclusion of the Peace Congress in the city of New York. The president of the Society, Mr. Root, presided at the meeting, which was largely attended by members of the Society from all parts of the country as well as by many people eminent in public life. It was a notable occasion as well for the high character of the proceedings as for the distinguished character of those who publicly participated in those proceedings. Three Secretaries of State took part—Mr. Root, Mr. John W. Foster and Mr. Richard Olney, whose address on “The Development of International Law” was one of the features of the meeting.

It was at this meeting also, you will remember, that the Secretary of State made his important utterance with regard to the relations between the treaty-making power of the United States and the authority of the individual state, as illustrated in the Japanese incident in California.

As a further result of the operations of the American Society the projected *American Journal of International Law* has come to light, the first number having been issued in January of this year, the second number at the beginning of April. It is a quarterly periodical and if a whole year of its existence had elapsed, it would have required the strength of more than one man to bring the entire product into the room. I have here in my hand a single number of the *American Journal of International Law*,—the second number, containing a total of 468 pages of legal learning! (Laughter.) There is the main part of the *Journal* (indicating) running to nearly 300 pages in this single

number, and an invaluable appendix or supplement of official documents, treaties and matters of that sort, covering 172 pages more. I cannot occupy the very brief time allotted to me by going at length into the contents of this remarkable production. I may, perhaps, be permitted to say that it bears testimony, not only to the extraordinary interest in international law which exists among the American people, but also to the devotion of the body of learned men who have undertaken the editing and publication of the *Journal*, under the editorial management of a man who has in the past contributed so much to the life and interest of these gatherings,—Mr. James Brown Scott, now Solicitor of the State Department at Washington, and one of the delegates to the Hague Conference. Associated with Mr. Scott on the editorial board of the *Journal* are other legal scholars and publicists, who are also of this household of faith—Chandler P. Anderson, Esq., Hon. David J. Hill, our Minister at The Hague, Mr. Robert Lansing, Professor John Bassett Moore, Judge William W. Morrow, Professor Leo S. Rowe, Hon. Oscar S. Straus, and Professor Theodore S. Woolsey. Under such auspices as these it is not to be wondered at that the American Society of International Law has prospered amazingly, and, I may say, has produced the most impressive periodical of its class that has yet appeared on the face of the earth.

May I, in conclusion, say a single word to justify the inclusion of these matters in the program of the Lake Mohonk Conference.

We are sometimes reminded that this Conference does not take all international affairs, nor yet all means for securing the "far off, divine event" of universal peace, for its province, but that it has the definite object of promoting the cause of peace through international arbitration. Even at the Conference of two years ago, when our Society was born, there were not wanting some who questioned the relevancy of such a movement to the proper aims and purposes of this gathering, as well as some of the legal fraternity who wondered that a society of international law should select an arbitration conference as the time and place to be born. Now while it is true that international law deals with many matters that lie outside the sphere of international arbitration, that there are laws of war as well as of peace and concord, the founders of the Society saw clearly not only that law is the efficient handmaid of international arbitration, but that it tends more and more to create the habits of thought, the attitude of mind, which lead nations as well as individuals to resort to arbitration rather than to force for the settlement of their differences.

The close relation which exists between the aims of our Society and of this Conference is made apparent upon an inspection of the second number of the *Journal* which I hold in my hand.

Among its leading articles I find the following: "Some Suggestions as to the Permanent Court of Arbitration," by Mr. Jackson H. Ralston; "International Arbitration," by William L. Penfield, recently Solicitor of the State Department; and "A Permanent Tribunal of International Arbitration: Its Necessity and Value," by R. F. Clarke; while the proceedings of the first meeting of the American Society consisted of papers and discussions on such topics as these: "Would Immunity from Capture During War of Non-Offending Private Property on the High Seas Be in the Interests of Civilization?" "Is the Trade in Contraband of War Unconstitutional and Should it Be Prohibited by International and Municipal Law?" "The Transference from Municipal Courts to an International Court of all Prize Cases." "Is the Forcible Collection of Debts in the Interest of International Justice and Peace?" and finally, "The Second Hague Conference: A Development of International Law as a Science."

Perhaps this recital of topics with which the Society of International Law and its *Journal* concern themselves and are bound to concern themselves, furnishes a sufficient answer to the question which may have suggested itself to many of you, as to the connection of such a society with such a cause as is here represented.

We all believe that although International Arbitration be a good thing, there may be something even better than international arbitration, and that is the development among nations of a spirit of justice and a mutual understanding which shall render the arbitration of disputes infrequent, if not wholly unnecessary. And I believe that there can be no more powerful cause in bringing about that halcyon condition of affairs than a Society of International Law, which understands its business and devotes itself to it, and a Journal of International Law, which follows the same rule of conduct. It is scarcely too much to say that the misunderstandings of individuals with one another are, in number and intensity, in direct ratio to their ignorance of their mutual rights and obligations. It may be said with the greatest confidence that misunderstandings between nations will tend more and more to disappear, as the legal relations of those nations, their rights and obligations with reference to one another, in the first place, become more and more clearly defined, by the development of international law, and, in the second place, become better understood, through the well-directed labors of such a society and journal as I have had the honor to bring to your attention this morning. (Applause.)

THE CHAIRMAN: I now present a persistent and consistent friend of this Conference and its purpose, Mr. HAMILTON HOLT, managing editor of *The Independent*.

MR. HAMILTON HOLT: *Mr. Chairman, Ladies and Gentlemen:* I am asked to say something about the new Japan Society of America. Last week when General Kuroki and his staff and the admiral of the Japanese fleet and his officers were in New York, the Japan Society of New York was born. It is founded on lines similar to those of the Japanese Society of London, which now has two thousand members and has done such splendid work in a quasi-diplomatic way. Our Society has started with about one hundred members, and we have one thousand dollars already subscribed, of which General Kuroki himself has given one hundred dollars. Viscount Aoki, the Japanese Ambassador at Washington, is the honorary president. Mr. Finley, one of the three New York City college presidents, is president. We have a large number of Japanese gentlemen and ladies on the membership list already. Of course the main function of the Japan Society is to cultivate friendly relations between Japan and America, to found lecture courses on the history, art and literature of Japan, and otherwise to cultivate friendly feelings.

Perhaps in this connection I might tell you what one of the professors of philology of the University of Tokio told me last week as an instance of the movement forward towards the greater internationalism. He said that, beginning with next year, the schools of Japan are going to adopt our alphabet in place of their present idiograph system of writing. He said to me with great politeness that he must apologize that Japan had not adopted this system many years ago, but "you know," he said, "the Japanese are a very conservative people." (Applause.)

THE CHAIRMAN: It is with peculiar pleasure that I present to the Conference as the next speaker a distinguished representative of a most honorable branch of the public service, a service of the best traditions and of high professional and ethical standards, always and everywhere a messenger of succor, good-will and peace—the Navy of the United States! (Applause.) I present REAR-ADMIRAL C. F. GOODRICH.

ADDRESS OF REAR-ADMIRAL C. F. GOODRICH.

Mr. President, Mr. Smiley, Ladies and Gentlemen: I wonder why you want to hear a sailor speak. That is not our trade at all, and I feel very much embarrassed; in fact, I cannot help thinking of a story Admiral Sigsbee told me some years ago. He was asked to attend a meeting of a distinguished society of Boston. It was intimated to him that a few remarks would be in order. In this dilemma he appealed to a Boston friend, and he said, "What shall I do, and what shall I say?" And the Boston friend said, "My dear Sigsbee, they don't want to hear you talk—they just want to see what sort of a fellow you are."

Get up and smile at them, and the less you say the better they will like you!" (Laughter.) But, unfortunately, I cannot stop at this point, because there are one or two things that have been referred to by previous speakers to which I must allude.

When Dr. Trueblood suggested that possibly prize money stimulated the thirst for war on the part of the naval officers, he distinctly limited the application of his remarks to a foreign navy; for prize money in our service has been abolished by the statute law of the land. Nevertheless, I doubt the truth of the accusation, even as so qualified. I do not believe, if prize money were given in our service to captors, that it would be regarded by them as anything more than a very poor and pitiful consolation. I cannot believe otherwise of men with whom I have been associated for over forty-five years, who command my respect as they should yours. (Applause.)

President Seelye aroused no little mirth by naming my own Alma Mater as the only school in the land which declined to give an opportunity to its students to discuss the beauties of international arbitration. Now, there are men of military training and experience among my hearers who can very readily see the great impropriety on the part of the authorities of the Naval Academy in accepting an invitation of such a nature, without the expressed authority and consent of the President of the United States or of the Secretary of the Navy. I think, ladies and gentlemen, that at times there is another and no less honorable point of view.

I beg of you not to look upon naval officers, your naval officers, as advocates of war. Speaking for my colleagues and myself, I do not hesitate to claim that, first of all, we are American citizens, and keenly interested in the welfare of our country. We also are strenuous, if unacknowledged, members of the Universal Peace Society. We do not foment or declare war; but you do, either directly or indirectly. And when the question at issue becomes so complex that it is beyond your solving, then you call us in, and you bid us unsheath the sword in your quarrel.

I am glad that the question of limitation of armaments has been relegated to another time and place. With you I shall heartily welcome the coming of that day when a few ships and a handful of soldiers will supply all our wants; for war is abominable; it is a confession of the weakness of our cause or our inability to make it good before a competent tribunal. When international arbitration is generally adopted for the settlement of international controversies, then the necessity for armies and navies will cease, and they will shrink into the world's police of President Eliot's admirable address. In the meantime I venture the assertion that there is not a man or woman here present to-night who did not rejoice in the national thanksgiving when the news came from

Manila that Dewey had smashed the Spanish fleet in the Philippines. (Applause.) And until some peaceful method of adjusting international complications is arrived at, you can be very comfortable in thinking that since you must have such a miserable and unholy thing as a navy, you have got the best one, ship for ship, afloat! (Applause.)

I have said it is you who bring on war. Of course I do not mean you personally, but I mean you as representing the country at large. Now, peace is less a material condition than it is a frame of mind. When the people want peace, they will have peace; when they want war, they will have war, and they are likely to want that of which most is sung and written and spoken. And I welcome this, and any other, occasion when peace is the great theme; the more we talk about peace, the less our chance of war. (Applause.)

It is a great privilege to be here and to listen to eloquent and forceful addresses by men whom the nation delights to honor, and, Mr. Smiley, I am deeply grateful for the privilege. Nevertheless, I must confess that I have been some disquieted by the remarkable fact that with the exception of a few casual references and some words that you heard to-night, there has been no recognition of the most potent of all the forces which tend to bring on or to avert hostilities. I mean the press. It is sad to think that even one irresponsible journal, from motives which I need not characterize, can do this sacred cause more harm than all the people assembled here together this evening can do it good. Unless some means can be found of bringing the fourth estate into sincere and hearty co-operation, I fear its appeal to passion and prejudice, its stirrings up of strife and ill-feeling will outweigh all your efforts for peace and good-will.

In conclusion, I beg you, professors of the humanities, and you, guides and moulders of public opinion, to remember that the burden of this responsibility rests upon your shoulders, and not on mine; and I urge you, first, last and always, in season and out of season, to exert your powers with the gentlemen of the press. You must teach the children that "peace hath her victories no less renowned than war;" you must teach them that the highest sort of courage is possible in the saving of human life, and sometimes even in saying the little word "No," when "Yes" is easy and tempting and wicked. You must labor with these gentlemen of the press, that they use their mighty powers toward allaying race hatred and toward sweetening and brightening international relations, that they report the graces and virtues of men of alien blood and speech, not their supposititious defects of character, and so shall they bring all nations of the earth together in that perfect understanding and sympathy in which war can have no place. And great shall be their reward. If you

do not, or at least attempt to, do these things, then you will neglect a sacred obligation to your country and you will pray some day, with an earnestness bordering on agony, that where you have failed, we of the navy, under the blessing of God, may succeed. (Prolonged applause.)

DR. SAMUEL J. BARROWS: *Mr. Chairman:* It seems very proper to follow this admirable speech of an eminent naval officer of the United States, by reading a communication on peace from an eminent Greek general. Our friend, Mr. Hoyt, has spoken of the great advance in this age. He did not mention that we have already in operation a psychographic telegraph, and that we have here a telegram from a Greek author who lived away back 450 years before Christ. The man is dead, but the author still lives in his works: General Xenophon. This is the telegram received by the Business Committee yesterday, after the discussion of these distinguished educators.

“MOUNT OLYMPUS, *May 24, 1907.*

“To the Chairman of the Business Committee, Lake Mohonk Conference:

“Will you please call the attention of the members of the Mohonk Conference to the great injustice that has been done me by the suppression in American colleges of one of the most important parts of my work in which I set forth my peace principles. While my experience as a general in leading ten thousand Greeks is everywhere used for the instruction of American youth who study Greek, my later and more mature views as an advocate of peace are seldom quoted, so that the great majority of college students do not know of their existence. I do not take off my uniform as a general, but I want to be counted with the great general of your own nation who said, ‘Let us have peace.’

“XENOPHON.”

I want to read just a short piece of the neglected portion of Xenophon’s works taken from his paper on increasing the revenues of Athens.

“Should any persons imagine, that if our state continues to maintain peace, it will be less powerful, less esteemed, and less celebrated through Greece, such persons, in my opinion, entertain unreasonable fears; for certainly those states are most prosperous which have remained at peace for the longest period; and of all states Athens is the best adapted by nature for flourishing during peace. If the city were in the enjoyment of peace, who would not be eager to resort to it, ship-owners and merchants most of all? Would not corn dealers and wine dealers, and dealers in olive oil and cattle, flock to us, as well as bankers and brokers? Where would artificers, too, and philosophers and poets and students and lovers of religion and merchants obtain their objects better than at Athens?

“But if anyone still thinks that war is more conducive to the wealth of our city than peace, I know not how this point can be better decided than by recalling what effect former events produced on our city. For he will find that in days of old vast sums of money were brought into the city during peace, and that the whole of it was expended during war; and he will learn that, in the present day, many branches of the revenue

are deficient as a consequence of the war, and that the money from productive resources has been spent on urgent requisitions of every kind; but that when peace is established at sea, the revenues increase and citizens are at liberty to dispose of them as they please.

“If any one should ask me this question, ‘Do you mean that even if any power should unjustly attack our state, we must maintain peace with that power?’ I should not say that I had any such intention; but I may safely assert that we shall cope with our aggressors with far greater facility, if we can show that none of our people does wrong to any one; for then our enemies will not have a single supporter.”

It is interesting to find this Greek general, more than four centuries before Christ, opposing aggressive warfare and arguing that the best way to avert hostile attack is by observing the laws of international justice. Let our educators say why they have neglected this fine argument of Xenophon for peace and justice. (Applause.)

THE CHAIRMAN: I now have pleasure in presenting DR. HENRY M. LEIPZIGER, who is at the head of the free lecture system of the New York City Board of Education.

REMARKS OF DR. HENRY M. LEIPZIGER.

Mr. Chairman: The one thought that has come to me as the result of the rare hours in this noble company has been that the most potent force in the creation of those conditions that shall remove the need of armament is public sentiment, and the creation of a proper public sentiment and of good-will is, in the final analysis, an educational process. (Applause.) War is no longer begun at the mandate of any monarch, no matter how autocratic, but is the result of a national will,—I think to-day the result of an international will.

We listened yesterday morning to that splendid series of papers of the colleges of the land and the heads of our school system. They showed us what recruits we could get from the coming generation. But if we who are here, we of intelligence, need this stimulus to thrill us, need this stimulus to make us greater in our endeavor to bring about the world peace, how much greater is the need of that stimulus by the great mass of the people, upon whom depends the decision of momentous questions of war and peace. We must keep the people learning—learning all the time the lessons that we come here to learn. Is that difficult? Am I speaking a Utopian project? We have the means at hand. President Draper told yesterday of the millions of teachers throughout the world. Those teachers teach in schoolhouses, and we must extend and revise our interpretation of what a schoolhouse is. We must make the schoolhouse in the city and in the village not alone the place of resort for children, but the place

of resort for intelligence for men and women ; because in a republic, in our republic, in this heterogeneous republic, the school-house is the one common meeting place for all creeds, all classes, all ranks, all conditions. And where rather than in the school-house can we say to all the people, "Come, let us reason together?"

And so I ask you to leave this place missionaries of the cause of peace by stirring up in your communities the use of the school-houses for the education of the adults as well as the instruction of your children. Let me tell you it is not impossible, because in the city of New York we are carrying out that system. We gave during the past year (the season closing the first of May) nearly six thousand lectures, and many of the lecturers are here. We sent out six thousand messages of light ; messages that will correct error, messages that will remove misinterpretation, messages that will remove prejudice. We did what Admiral Goodrich said we should do, we kept on talking peace and peace, and forty lectures on the peace movement, preparatory to the Peace Congress, were given during the past winter. And we propose, as we believe that education is a continuous performance and that educational irrigation must be constant in the desert places of our life, that as long as we live every year with increased force we will talk peace, as Admiral Goodrich advises us, until he shall be put out of business. (Applause.)

THE CHAIRMAN: The next speaker is REV. DR. GEORGE HODGES, of Cambridge, Mass., Dean of the Episcopal Theological School.

REMARKS OF REV. GEORGE HODGES, D.D.

Mr. Chairman, Ladies and Gentlemen: I look upon this matter naturally from the homiletical point of view. Of course there are certain great difficulties in the way of the peace of nations which can only be met by legislation, by the discussions of such a conference as this and of the Hague Tribunal. But there are other difficulties, small in a way, but wonderfully potent, present in common human society, which we have all of us got to meet in one fashion or another, in a homiletical way, by which I mean not simply preaching from the pulpit but preaching in ordinary conversation. You will remember Coleridge once said to Lamb, "Did you ever hear me preach?" To which Lamb replied, "I never heard you do anything else." I suppose there is no assembly to which that remark more appropriately applies than to this. One of the difficulties with which we have all got to deal is that which is in the minds of many studious lads and energetic young men and enthusiastic young women who regard peace as dull, and tame, and uninteresting, and submissive, and belong-

ing to the passive side of life, and who have an idea that conferences such as this are made up largely of persons who have a strong prejudice against danger.

Now I think it is highly desirable that we should all arm ourselves with proper answers to that kind of objection, and that particularly we should all reassure ourselves as to the fact that peace is one of the militant virtues. The man of peace desires and admires the ornament of a meek and quiet spirit, but he rejoices to remember that our fathers in Massachusetts, when they made the New England primer and selected a list of heroes of the virtues, chose to represent peace by the name of Moses. For the meekest man was Moses. Moses comes down the side of Sinai first suspecting and then discovering that the people at the foot of the hill are misbehaving themselves, and he throws the Ten Commandments over the side of the cliff, presents himself dramatically in the midst of that assembly, breaks the golden calf into a thousand pieces, breaks each piece into powder, and spreads it along the surface of the stream, and makes the people drink the water. I know twenty persons in this assembly, enthusiastically peaceable persons, who would have acted in the same way under the same emergency. The man of peace hates war because he believes that war, as Admiral Goodrich said, is bad and brutal and a barbarous and also an ineffective way of accomplishing a great purpose. It is a confession of incompetence. It is an admission of the fact that we are not able to overcome one who differs from us by processes of reasoning or of ordinary justice. He hates war, but he believes with all his heart that justice must be set forward by the processes which are effective in setting it forward.

When the Lord said he came not to bring peace but a sword, there are a lot of literal-minded persons who see before their eyes a piece of steel with a handle at one end and a point at the other, with an edge running in between; but that is not what the Lord meant, because he went on immediately to speak not of battlefields, not of wars of religion, not of any of the hideous things that have been done in his name, but to speak of the difficulty of living the Christian life, with its ideals and the mission laid upon us to get those ideals achieved, the difficulty of doing that in the common life, in ordinary society. A man of peace believes with President Eliot that the common life affords plenty of room and scope for all high spirit of adventure, for all energy of conquest, for all the best abilities of heroic men. He finds in the firemen and the policemen and the physician and the reformer, men who are doing splendidly heroic things under conditions that are more difficult than the heroism of the field of battle, which is upheld by all the incitement of military music and sound of drums and sight of uniforms and consciousness of applause. It is the

common life that gives the opportunity for the man who has the heroic in him to develop it, if he will, to the highest extent in constructive ways for the benefit of society. Splendid is the heroism of the man who leads his soldiers to the conquest of a hostile country in furtherance of a righteous cause; but splendid also is the heroism of the man who successfully conquers a great mountain, who comes into a solitary place, in the midst of the vast woods, in the midst of the rocks and rills, and there transforms the wilderness into a Garden of Eden, appropriate for the meeting place of a Conference on Arbitration. (Applause.)

THE CHAIRMAN: The Chair now recognizes HON. HENRY B. F. MACFARLAND, President of the Board of Commissioners of the District of Columbia.

HON. HENRY B. F. MACFARLAND: My colleagues of the Business Committee have given me the very delightful office of proposing the following resolution:

Resolved, That the members of the Thirteenth Lake Mohonk Conference on International Arbitration record their appreciation of the delightful hospitality of Mr. and Mrs. Albert K. Smiley, and of the generous opportunity provided by them for the advancement of its purpose. They congratulate Mr. and Mrs. Smiley upon their approaching Golden Wedding; (Applause.) on all the years of noble service they have given to their country and the world as the friends of all mankind; and on all the results achieved, especially in the field of endeavor represented by this Conference, which has already yielded a harvest that seemed impossible thirteen years ago. They trust that Mr. and Mrs. Smiley may long remain to lead in the movement for international peace through international justice, and to enjoy the blessings of peacemakers, through whom all nations shall be blessed.

"The members of the Conference express to Mr. and Mrs. Daniel Smiley deep gratitude for their thoughtful, courteous and gracious consideration which has made every one their debtor." (Applause.)

The resolution offered by Mr. Macfarland was seconded by Dr. Charles P. Fagnani of Union Theological Seminary.

THE CHAIRMAN: You have heard the resolution reported by Mr. Macfarland and seconded by Dr. Fagnani. So many as are in favor of adopting it as the expression of this Conference will please rise.

It is a unanimous vote, and the Conference, Mr. Smiley, makes with gratitude and affection the expression which has been read in your presence.

Mr. Smiley responded briefly, expressing his appreciation of and his thanks for the resolution. He expressed great satisfaction with the entire proceedings of the Conference, and his intention of providing for future meetings. "I want to say to you all," he said, "that these Conferences are going on. When I am disabled my brother, Daniel, will take my place, and when he is

gone he has a son, named after me, who will take his place." Mr. Smiley's remarks were greeted with applause.

DR. SAMUEL J. BARROWS, Chairman of the Business Committee, presented the following resolutions:

"*Resolved*, That the Conference expresses its high appreciation of the comprehensive and illuminating address of its President, Dr. Nicholas Murray Butler, and returns thanks to him for his able and courteous services as presiding officer."

"*Resolved*, That the thanks of the Conference are due to Mr. Alexander C. Wood for the admirable and faithful manner in which he has performed the duties of Treasurer."

"*Resolved*, That the thanks of the Conference are hereby extended to its permanent Secretary, Mr. H. C. Phillips, for his untiring and efficient service in promoting the interests of the Conference and its noble aims."

These resolutions were unanimously adopted.

On motion of MR. SMILEY, a vote of thanks was extended by the Conference to the Business Committee.

THE CHAIRMAN: *Ladies and Gentlemen*: For your quite too generous expressions of appreciation I am extremely grateful. To preside over this Conference is not only a distinguished honor, but it is a high privilege. The Chairman, if he may contribute to the satisfactory conduct of the business before the Conference, is amply repaid for any service he may render, by the confidence which you repose in him and by the very generous and hearty co-operation which he receives.

And, now, Mr. Smiley, before asking the members of the Conference, in accordance with usage, to join in singing the closing hymn, I must, Sir, address one more brief word to you. The formulation of public opinion which has gone on, or had a beginning, in this room is now a matter of high consequence, not only in our own nation, but in other nations as well. It proves once more how completely true it is that an institution is the lengthened shadow of one man. Your life, Sir, embodies in my judgment every element of success and happiness, whether judged by the strictest standard of private or of public ethics. We may well hold you, Sir, in affection, honor and reverence, not only as a leader and a friend, but as a typical good American citizen.

"But bless ye, Mr. Smiley! may you live a thousan' years,

* * * * *

An' may we live a thousan', too,—a thousan' less a day,
For we shouldn't like to be on earth to hear you'd passed away."

The Conference, in accordance with custom, will join in singing the hymn, "God be with you 'till we meet again."

The Thirteenth Annual Meeting of the Lake Mohonk Conference on International Arbitration stands adjourned without date.

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APPENDIX

ARBITRATIONS OF LATIN-AMERICAN NATIONS.

Appendix to Address of Hon. John Barrett (See page 161).

Mr. Barrett said:

As a matter of record, I take pleasure in quoting from a number of letters which I received from the different Latin-American diplomatic representatives in Washington, in response to my inquiries concerning disputes between their government and another settled by arbitration:

The Ambassador of Brazil says:

* * * "With regard to your first query:

"The only General Arbitration Treaty Brazil has in force is the one with Chile of 1899. Another treaty was signed with the Argentine Republic in 1905, but it has not yet been submitted to the Congresses of the two countries. Neither of those two treaties comprise all questions that may arise.

"With regard to the second query:

"1. Brazil started the arbitration movement by proposing arbitration in the case of the British Man of War 'La Forte' when three British officers were arrested in Rio de Janeiro and England demanded a reparation. The King of the Belgians chosen as arbitrator gave his award in favor of Brazil in 1863.

"2. Treaty of arbitration with the Argentine Republic, dated Buenos Ayres, September 7, 1899, on the question of boundaries in the Misiones territory. The President of the United States, Mr. Cleveland, was the arbitrator and gave his award in favor of Brazil on February 25, 1895.

"3. Treaty of arbitration with France on the boundaries of the two countries in Guiana, dated Rio de Janeiro, April 10, 1897. The arbitrator, the Federal Council of Switzerland, gave award in favor of Brazil on December 1, 1900.

"4. Treaty of arbitration with Great Britain, of London, November 6, 1901, on the boundaries of the two countries in Guiana. The King of Italy was the arbitrator. The award was delivered on June 6, 1904, dividing the disputed territory between the two parties.

"Other connections of Brazil with the history of arbitration are:

"1. Brazil was one of the arbitrators appointed by the Treaty of Washington, May 8, 1871, on the dispute with Great Britain arising from the action of the Confederate cruisers against American ships and property.

"2. Brazil was the umpire in questions, arising from war damages, between Chile on one part and England, Italy and France on the other, in 1884.

"3. The Brazilian Constitution is the only Constitution that makes war dependent on arbitration in cases it may be thought of. By Art. 34, No. 11, of the Constitution it belongs to the National Congress to authorize the Government to declare war, if there is no case of arbitration or failing recourse to it."

The Ambassador of Mexico says:

* * * "In the treaty of peace celebrated at Vera Cruz between France and Mexico, it was stipulated that the decision as to whether France owed

to Mexico any indemnity because the vessels that she had captured and which belonged to us, would be subject to the arbitration of a third power.

“On August 1, 1844, the Queen of England decided that the acts of France in capturing the vessels and the acts of Mexico in expelling French subjects residing in the country, were justified by the state of war prevailing between the two countries.

“Under the treaty of April 11, 1839, the claims of American citizens against our country were subject to the decision of four arbitrators. The King of Prussia appointed as his representative, to make the final decision in the matter, Baron Roenne, whose award condemned Mexico to the payment of sundry amounts. In the meantime the war between Mexico and the United States broke out, and was terminated by the treaty of Guadalupe-Hidalgo, under which the United States agreed to pay the amount corresponding to Mexico.

“Article 21 of the treaty of Guadalupe-Hidalgo submits to arbitration such questions as may arise concerning boundaries or any other matter between the United States and Mexico.

“Prior to the treaty of Mesilla, there arose a long and complicated question between the two countries on account of mutual claims. The question was protracted until 1868, owing to the wars between imperialists, republicans, secessionists and antislaverymen, respectively. Said question was settled by the award made by Sir Edward Thornton, the English minister at Washington, exempting from all claim the American Republic, and declaring also that American claims were without foundation. The Mexican claims amounted to more than \$38,000,000.

“The claim of the United States of North America (on behalf of Mr. Charles Oberlander and Mrs. Barbara M. Messenger) against Mexico, submitted, May 2, 1897, to arbitration, which was entrusted to Mr. Vicente G. Quesada, E. E. & M. P. of the Argentine Republic at Madrid.

“The treaty of May 26, 1902, between the United States and Mexico, for the purpose of submitting to the decision of the Tribunal of The Hague the question of ‘The Pius Funds of the Californias,’ was terminated by virtue of the award of October 14, 1902, condemning Mexico to pay \$1,420,682.67.

“On this same question an award had been made, November 11, 1875—amended October 24, 1876—in which the above mentioned Sir Edward Thornton acted as arbitrator. The decision referred to was the subject of the award of The Hague of October 14, 1902.

“Under the treaty of 1902, such questions as may arise between the two countries must be submitted to arbitration. The notable feature of this treaty is that it stipulates both the cases which may be submitted to arbitration, and those which cannot be submitted as they affect or offend the national honor.

“The obligatory arbitration treaty, concluded between Mexico and nine of the Spanish-American Republics which took part in the Second Pan-American Conference held in Mexico in 1901–1902, namely, Argentina, Bolivia, Santo Domingo, Salvador, Guatemala, Paraguay, Peru, Uruguay and Venezuela.

“Claims of Mexico (on behalf of Messrs. Martinez del Rio Brothers) against Venezuela, which was submitted to arbitration by agreement between the representatives of both countries, Mr. Manuel de Azpiroz, Mexican Ambassador to the United States, and Mr. Herbert W. Bowen, Plenipotentiary of the Republic of Venezuela, respectively. The agreement was signed in Washington February 25, 1903.”

The Minister of Hayti says:

“Hayti has no specific arbitration treaties, but it has settled in recent years the following cases:”

"In 1884; two cases with the United States, known as the Pelletier and Lazare.

"In 1888; one with the United States, known as the Van Bokkelen case.

"In 1900; one with the United States, known as the Metzger case.

"In 1905; one with France, known as the Aboilard case."

The Minister of Costa Rica says:

* * * "Costa Rica is bound by specific treaties of arbitration with the other countries of Central America. She settled in 1877 a boundary question with Nicaragua when the arbiter, His Excellency the President of the United States, succeeded in finally adjusting all differences. Another question of limits was submitted to arbitration, that being the boundary with the Republic of Colombia, now Panama. The award of September 11, 1900, was of such a nature that it required an explanation of the essential points of the question submitted."

The Minister of Cuba writes as follows:

* * * "Cuba has not entered into any specific arbitration treaty with other countries."

The Minister of Bolivia says:

* * * "According to an agreement made in January, 1907, Bolivia and Paraguay agreed to submit the boundary questions to the arbitration of Argentina, and the matter is now pending.

"In the boundary questions existing between Bolivia and Peru, according to agreement of December 30, 1902, both countries have submitted the matter to the arbitration of Argentina and the same is also under consideration.

"In the treaty of peace between Bolivia and Chile, signed in 1904, it was agreed that all questions arising from the late war, boundaries, etc., should be settled by arbitration.

"On the 17th of November 1903, Bolivia and Brazil reached an agreement whereby any questions arising between the two countries should be submitted to arbitration.

"In 1902 Bolivia and Spain signed a general treaty of arbitration."

The Minister of Panama says:

* * * "As yet Panama has no arbitration treaties with any country nor has it had any question settled by arbitration."

The Minister of the Argentine Republic says:

* * * "Concerning question (a), I beg to state that the Argentine Republic has entered into several arbitration treaties with Chile, Brazil and Paraguay, and, concerning question (b), that the object of said treaties was to settle their respective boundary controversies.

"In the treaty of peace, amity, commerce and navigation with Chile, exchanged in the city of Santiago, April 29, 1856, the principle of arbitration was established for the first time. Article 39 of said treaty reads:

"Both contracting parties recognize as boundaries of their respective territories, those which they possessed as such at the time they separated themselves from Spanish control, and they agree to postpone such questions as may have arisen or should arise concerning this matter, to be peaceably and amicably discussed later without ever recurring to violent measures, and should they fail to arrive at a complete adjustment, the decision shall be submitted to the arbitration of a friendly nation.'

“This treaty was denounced by Chile, in accordance with the respective clause, on October 25, 1866; but some years afterwards, October 22, 1881, the agreement was renewed to settle by arbitration the boundary question, in case a direct agreement between both governments should not be possible; this agreement was confirmed by an act of April 17, 1896, the Queen of England having been appointed as arbitrator. The treaty with Brazil, submitting the boundary question to the arbitration of the President of the United States, was signed in Buenos Ayres September 7, 1889, and exchanged in the city of Rio de Janeiro November 4 of the same year.

“The treaty with Paraguay, also submitting the boundary differences to the President of the United States, was signed in Buenos Ayres February 3, 1876, and exchanged in the same city on September 15 of the same year. This agreement is very creditable to the Argentine Republic especially as having been victorious in a protracted war which cost her enormous sacrifices of all kinds, she could have settled the controversy on her own terms, and yet she preferred a solution in accordance with law rather than a settlement by means of force.

“Finally, I will call your attention to the following fact of which, perhaps, you are aware: At one time Bolivia and Paraguay were about to go to war, also because of a boundary dispute—disputes of this kind being those which most frequently endanger the peace of the American countries—when the Argentine Republic offered its friendly mediation with complete success. The ministers for foreign affairs of both countries met at Buenos Ayres, and after some negotiations, which were not free from serious alternatives, decided to appoint the President of the Argentine Republic as arbitrator of their differences. The respective executives have already approved the protocol which avoids conflicts of war, and which now awaits approval of the congresses.”

The Minister of Peru says:

* * * “Peru has actually in force, arbitration treaties with Bolivia, Ecuador and Italy; similar treaties with Paraguay and Colombia have not yet been ratified by Congress. A provisional agreement ‘Acuerdo Provisional’ with Brazil was signed on July 12, 1904, submitting to arbitration all frontier questions which could not be settled in a direct form.

“Our frontier questions with Bolivia have been submitted to the arbitration of the President of the Argentine Republic, and those with Ecuador are to be decided by H. M., the King of Spain acting as arbitrator. In both cases Peru has already presented the defense, reports, documents and maps.”

The Minister of Colombia says:

* * * “It has been the practice of my country, since she adopted an independent form of government, that, in order to settle international conflicts, the Republic should prefer the juridic and civilized means of arbitration to any other that may lead to the employment of force or war. The policy was initiated by Colombia in 1823, when the different pacts that she signed, with several of the South American Republics, provided that a court should be organized that should serve as an arbitration tribunal for the settlement and adjustment of such differences as might arise among the new American states.

“In order to put in practice this idea, Colombia invited the nations of America to meet at an international congress which was held in Panama in 1826. Subsequently it defended the same principle by means of its representative at the international congress which met in Lima in 1865. In 1880 the Government of Colombia invited all the American nations to hold a new convention, suggesting as the object thereof the making

of an agreement by virtue of which they should 'bind themselves forever to settle any difficulties in controversy, that might arise among them, by the humanitarian and civilized means of arbitration for the purpose of forever eliminating international wars from the American continent.'

"Below you will find a list of the arbitration treaties that Colombia has made up to this date, not including therein several questions growing out of pecuniary claims which have been settled by means of special arbitration:

"The arbitration convention with the Republic of Costa Rica of November 4, 1896, which resulted in the award of the President of France, M. Emilio Loubet, made September 11, 1900.

"The arbitration convention with the Republic of Chile, September 3, 1885, the ratifications of which were not exchanged.

"The convention of June 18, 1879, with the Republic of Ecuador, for the settlement by arbitration of a certain claim. This convention has expired.

"Additional arbitration convention concerning boundaries, December 15, 1894, between Colombia, Ecuador and Venezuela. The ratifications were not exchanged.

"The treaty on arbitration, September 14, 1881, with the United States of Venezuela, resulting in the award of the royal arbitrator, Alfonso XIII, King of Spain, by which the boundaries between Venezuela and Colombia were fixed on March 16, 1891.

"Besides, there have been concluded between Colombia and Ecuador, the treaty known as the Andrade-Betancourt treaty, under which final settlement of the boundary question between the two countries is submitted to the arbitration of His Majesty, the Emperor of Germany, and another arbitration treaty with the Republic of Peru by which it is established that should the award on the arbitration which the Republics of Peru and Ecuador have submitted to His Majesty, the King of Spain, refer to territories which Colombia considers her own, the final decision of the ownership of said territories shall be submitted to the decision of His Holiness, the Pope."

The Minister of Uruguay says:

* * * "The Republic of Uruguay has made the following arbitration treaties: with the Argentine Republic, approved March 17, 1900; with Spain, approved August 27, 1902, with the Argentine Republic, Bolivia, Guatemala, Salvador, Santo Domingo, Mexico, Paraguay and Peru, the treaty of the City of Mexico, approved October 2, 1902.

"Up to the present time said treaties have, fortunately, not been resorted to by my country, there having been no differences pending with any other nation."

The Minister of Guatemala says:

* * * "Guatemala signed and ratified the Compulsory Arbitration Treaty which was formulated in the City of Mexico in January, 1902, and it also made another agreement of the same kind in San José, Costa Rica, in September, 1906, binding all the Republics of Central America except Nicaragua."

The Chargé d'Affaires of Venezuela gave the following memorandum of cases settled by Mixed Commissions and by Arbitration:

Mixed Commissions.

With the United States, 1866. Reopened in 1885-88. Adjustment of claims of American citizens.

With the United States, 1892. Claim of the Venezuelan Steam Transportation Company.

With the United States, 1903. Adjustment of claims of American citizens.

The Mixed Commissions of 1903 with Germany, Italy, Great Britain, Spain, Netherlands, Mexico, Belgium, and Sweden and Norway.

Arbitration.

With The Netherlands, 1865. Arbitrator, the Queen of Spain. Sovereignty of the Aves Island.

With Colombia in 1891. Boundaries. Arbitrator, the King of Spain.

With France; Fabiani Claim, 1896. Arbitrator, the President of Switzerland.

With Great Britain. Boundaries. Arbitrators, five jurists; two for Great Britain, one for Venezuela, one for the United States and the fifth a Russian.

The Attaché in Charge of the Legation of Ecuador says:

* * * "I know of no arbitration treaties which Ecuador has made with other countries except with Peru and Colombia for the delimitation of their respective frontiers."

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